

FIRST REGULAR SESSION

# HOUSE BILL NO. 274

## 94TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES ROBINSON (Sponsor), RUCKER, FALLERT,  
HODGES AND AULL (Co-sponsors).

Read 1st time January 9, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

0404L.01I

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### AN ACT

To amend chapter 574, RSMo, by adding thereto three new sections relating to grave markers,  
with penalty provisions.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 574, RSMo, is amended by adding thereto three new sections, to be  
2 known as sections 574.095, 574.097, and 574.099, to read as follows:

**574.095. 1. A person commits the crime of interference with a grave marker if such**  
2 **person knowingly destroys, mutilates, defaces, injures, or removes any marker, headstone,**  
3 **monument, gravestone, or other structure placed or designed or intended to mark a grave**  
4 **site or to memorialize the death of a person, or any portion or fragment thereof, without**  
5 **authorization of the owner of the burial lot, a lineal descendant of the deceased, or of the**  
6 **municipality, cemetery association, or person or authority responsible for the control or**  
7 **management of the cemetery.**

8 **2. Interference with a grave marker is a class C felony.**

**574.097. 1. A person commits the crime of receiving a stolen grave marker if such**  
2 **person receives, retains, or disposes of such grave marker, headstone, monument,**  
3 **gravestone, or other structure placed or designed or intended to mark a grave site or to**  
4 **memorialize the death of a person, or any portion or fragment thereof, knowing or**  
5 **believing that it has been removed in violation of section 574.095.**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended  
to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

6           **2. Evidence of the following is admissable in any criminal proceeding under this**  
7 **section to prove the requisite knowledge or belief of the alleged receiver:**

8           **(1) That he or she acquired the stolen grave marker for a consideration which he**  
9 **or she knew was far below its reasonable value; or**

10           **(2) That he or she obtained control over the stolen grave marker knowing the grave**  
11 **marker to have been stolen or under such circumstances as would reasonably induce a**  
12 **person to believe the grave marker was stolen.**

13           **3. Receiving a stolen grave marker is a felony for which the authorized punishment**  
14 **is a fine of not less than five thousand dollars and not more than ten thousand dollars.**

**574.099. 1. A person commits the crime of failing to report the crime of receiving**  
2 **a stolen grave marker if such person knows or believes that another person has violated**  
3 **the provisions of section 574.097 and fails to report that violation to a law enforcement**  
4 **officer.**

5           **2. Failing to report the crime of receiving a stolen grave marker is a class A**  
6 **misdemeanor.**

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