

FIRST REGULAR SESSION

HOUSE BILL NO. 519

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES LeVOTA (Sponsor), BURNETT, ROORDA, BOWMAN, CHAPPELLE-NADAL, WILDBERGER, MEADOWS, HARRIS (23), ROBINSON, SATER, KOMO, DOUGHERTY, GRILL, SWINGER, CORCORAN, DARROUGH, LAMPE, BAKER (25), NORR, TALBOY, CURLS, BROWN (50), HOLSMAN, BLAND AND HUGHES (Co-sponsors).

Read 1st time January 23, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

1073L.01I

AN ACT

To repeal section 565.020, RSMo, and to enact in lieu thereof one new section relating to Erica and Zayquon's law, with a penalty provision.

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

Section A. Section 565.020, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 565.020, to read as follows:

565.020. 1. A person commits the crime of murder in the first degree if [he] **such person** knowingly causes the death of another person after deliberation upon the matter.

2. **When a child is the victim, a person commits the crime of murder in the first degree if such person knowingly causes the death of a child and a heinous element is involved in the commission of the crime. For purposes of this subsection, a "heinous element" includes:**

- (1) **Torturing the victim;**
- (2) **Intentionally inflicting great bodily harm upon the victim;**
- (3) **Intentionally mutilating the victim;**
- (4) **Exposing the victim to extreme inhumane conditions;**
- (5) **Being armed with a dangerous weapon or any article used or fashioned in a manner to lead the victim to reasonably believe it to be a dangerous weapon and such weapon or article is used or threatened to be used to cause the victim to submit;**

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.

14 **(6) The offense involves sexual penetration or sexual contact with the victim; or**

15 **(7) Moving the victim from one location to another.**

16 **3.** Murder in the first degree is a class A felony, and the punishment shall be either death
17 or imprisonment for life without eligibility for probation or parole, or release except by act of
18 the governor; except that, if a person has not reached his **or her** sixteenth birthday at the time
19 of the commission of the crime, the punishment shall be imprisonment for life without eligibility
20 for probation or parole, or release except by act of the governor.

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