

SECOND REGULAR SESSION

HOUSE BILL NO. 1962

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES LeVOTA (Sponsor), GRILL, LAMPE, ROORDA, DARROUGH,
SCHIEFFER, TALBOY AND WILDBERGER (Co-sponsors).

Read 1st time February 4, 2008 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

3539L.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Section A. Section 565.020, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 565.020, to read as follows: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. **This section shall be known and may be cited as "Erica and Zayquon's Law".**

2. A person commits the crime of murder in the first degree if [he] **such person:**

(1) Knowingly causes the death of another person after deliberation upon the matter[. 2.] ; or

(2) **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:**

(a) Torturing the victim;

(b) Intentionally inflicting great bodily harm upon the victim;

(c) Intentionally mutilating the victim;

(d) Exposing the victim to extreme inhumane conditions;

(e) **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.

15 **(f) The offense involves sexual penetration or sexual contact with the victim; or**

16 **(g) Moving the victim from one location to another.**

17 **3. As used in this section "child" means any person under eighteen years of age.**

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

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