

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Bill No. 12, Page 6, Section 559.105, Line 28, by
2 inserting after all of said section and line the following:

3
4 "570.030. 1. A person commits the crime of stealing if he or she appropriates property or
5 services of another with the purpose to deprive him or her thereof, either without his or her consent
6 or by means of deceit or coercion.

7 2. Evidence of the following is admissible in any criminal prosecution pursuant to this
8 section on the issue of the requisite knowledge or belief of the alleged stealer:

9 (1) That he or she failed or refused to pay for property or services of a hotel, restaurant, inn
10 or boardinghouse;

11 (2) That he or she gave in payment for property or services of a hotel, restaurant, inn or
12 boardinghouse a check or negotiable paper on which payment was refused;

13 (3) That he or she left the hotel, restaurant, inn or boardinghouse with the intent to not pay
14 for property or services;

15 (4) That he or she surreptitiously removed or attempted to remove his or her baggage from a
16 hotel, inn or boardinghouse;

17 (5) That he or she, with intent to cheat or defraud a retailer, possesses, uses, utters, transfers,
18 makes, alters, counterfeits, or reproduces a retail sales receipt, price tag, or universal price code
19 label, or possesses with intent to cheat or defraud, the device that manufactures fraudulent receipts or
20 universal price code labels.

21 3. Notwithstanding any other provision of law, any offense in which the value of property or
22 services is an element is a class C felony if:

23 (1) The value of the property or services appropriated is five hundred dollars or more but
24 less than twenty-five thousand dollars; or

25 (2) The actor physically takes the property appropriated from the person of the victim; or

26 (3) The property appropriated consists of:

27 (a) Any motor vehicle, watercraft or aircraft; or

28 (b) Any will or unrecorded deed affecting real property; or

29 (c) Any credit card or letter of credit; or

30 (d) Any firearms; or

31 (e) Any explosive weapon as defined in section 571.010; or

32 (f) A United States national flag designed, intended and used for display on buildings or
33 stationary flagstaffs in the open; or

34 (g) Any original copy of an act, bill or resolution, introduced or acted upon by the legislature
35 of the state of Missouri; or

36 (h) Any pleading, notice, judgment or any other record or entry of any court of this state, any
37 other state or of the United States; or

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1 (i) Any book of registration or list of voters required by chapter 115; or
 2 (j) [Any animal considered livestock as that term is defined in section 144.010; or
 3 (k)] Live fish raised for commercial sale with a value of seventy-five dollars; or
 4 [(l)] (k) Captive wildlife held under permit issued by the conservation commission; or
 5 [(m)] (l) Any controlled substance as defined by section 195.010; or
 6 [(n)] (m) Anhydrous ammonia;
 7 [(o)] (n) Ammonium nitrate; or
 8 [(p)] (o) Any document of historical significance which has fair market value of five
 9 hundred dollars or more.

10 4. Notwithstanding any other provision of law, stealing of any animal considered livestock,
 11 as that term is defined in section 144.010, is a class B felony if the value of the livestock exceeds ten
 12 thousand dollars.

13 5. If an actor appropriates any material with a value less than five hundred dollars in
 14 violation of this section with the intent to use such material to manufacture, compound, produce,
 15 prepare, test or analyze amphetamine or methamphetamine or any of their analogues, then such
 16 violation is a class C felony. The theft of any amount of anhydrous ammonia or liquid nitrogen, or
 17 any attempt to steal any amount of anhydrous ammonia or liquid nitrogen, is a class B felony. The
 18 theft of any amount of anhydrous ammonia by appropriation of a tank truck, tank trailer, rail tank
 19 car, bulk storage tank, field (nurse) tank or field applicator is a class A felony.

20 [5.] 6. The theft of any item of property or services pursuant to subsection 3 of this section
 21 which exceeds five hundred dollars may be considered a separate felony and may be charged in
 22 separate counts.

23 [6.] 7. Any person with a prior conviction of paragraph (j) or (l) of subdivision (3) of
 24 subsection 3 of this section and who violates the provisions of paragraph (j) or (l) of subdivision (3)
 25 of subsection 3 of this section when the value of the animal or animals stolen exceeds three thousand
 26 dollars is guilty of a class B felony. Notwithstanding any provision of law to the contrary, such
 27 person shall serve a minimum prison term of not less than eighty percent of his or her sentence
 28 before he or she is eligible for probation, parole, conditional release, or other early release by the
 29 department of corrections.

30 [7.] 8. Any offense in which the value of property or services is an element is a class B
 31 felony if the value of the property or services equals or exceeds twenty-five thousand dollars.

32 [8.] 9. Any violation of this section for which no other penalty is specified in this section is a
 33 class A misdemeanor."; and

34
 35 Further amend said bill by amending the title, enacting clause, and intersectional references
 36 accordingly.
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