

SECOND REGULAR SESSION

HOUSE BILL NO. 1540

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES FITZWATER (Sponsor), HIGDON, PHILLIPS, SHULL,
ROORDA, REMOLE, MUNTZEL, RICHARDSON AND HANSEN (Co-sponsors).

5464H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 575.153, RSMo, and to enact in lieu thereof one new section relating to disarming a peace officer, with a penalty provision.

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

Section A. Section 575.153, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 575.153, to read as follows:

575.153. 1. A person commits the crime of disarming a peace officer, as defined in section 590.100, or a correctional officer if such person intentionally:

(1) Removes a firearm [or other] , deadly weapon, **or any other equipment that the officer is required to carry as part of the his or her official uniform or use in the performance of his or her official duties** from the person of a peace officer or correctional officer while such officer is acting within the scope of his or her official duties; or

(2) Deprives a peace officer or correctional officer of such officer's use of a firearm [or] , deadly weapon, **or any other equipment described in subdivision (1) of this subsection** while the officer is acting within the scope of his or her official duties.

2. The provisions of this section shall not apply when:

(1) The defendant does not know or could not reasonably have known that the person he or she disarmed was a peace officer or correctional officer; or

(2) The peace officer or correctional officer was engaged in an incident involving felonious conduct by the peace officer or correctional officer at the time the defendant disarmed such officer.

3. Disarming a peace officer or correctional officer is a class C felony.

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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.