

FIRST REGULAR SESSION

HOUSE BILL NO. 175

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE WASHINGTON.

0433H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 565.056, RSMo, and to enact in lieu thereof two new sections relating to offenses committed by landlords against tenants, with penalty provisions.

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

Section A. Section 565.056, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 441.231 and 565.056, to read as follows:

441.231. If a landlord evicts a tenant in violation of any statute or county or municipal ordinance, the landlord shall be guilty of a class E felony.

565.056. 1. A person commits the offense of assault in the fourth degree if:

(1) The person attempts to cause or recklessly causes physical injury, physical pain, or illness to another person;

(2) With criminal negligence the person causes physical injury to another person by means of a firearm;

(3) The person purposely places another person in apprehension of immediate physical injury;

(4) The person recklessly engages in conduct which creates a substantial risk of death or serious physical injury to another person;

(5) The person knowingly causes or attempts to cause physical contact with a person with a disability, which a reasonable person, who does not have a disability, would consider offensive or provocative; or

(6) The person knowingly causes physical contact with another person knowing the other person will regard the contact as offensive or provocative.

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 2. Except as provided in subsection 3 **or 4** of this section, assault in the fourth degree
16 is a class A misdemeanor.

17 3. Violation of the provisions of subdivision (3) or (6) of subsection 1 of this section is
18 a class C misdemeanor unless the victim is a special victim, as the term "special victim" is
19 defined under section 565.002, in which case a violation of such provisions is a class A
20 misdemeanor.

21 **4. If the victim is a tenant in a landlord-tenant relationship, the offense of assault**
22 **in the fourth degree is a class E felony; except that, if a weapon was used in the commission**
23 **of the offense, it is a class C felony.**

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