

HCS HB 900 -- FAILURE TO EXECUTE A WARRANT

SPONSOR: Roberts (161)

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Crime Prevention and Public Safety by a vote of 9 to 1. Voted "Do Pass" by the Standing Committee on Rules- Legislative Oversight by a vote of 8 to 0.

This bill specifies that it is an affirmative defense to prosecution for the offense of failure to execute a warrant on a person who has committed a misdemeanor offense under Chapters 301, 302, 304, or 307, RSMo, with the exception of certain offenses, specified in the bill, that the officer was acting under exigent circumstances.

PROPONENTS: Supporters say that the section making it a crime for an officer to fail to serve a warrant is unnecessary, so this bill is removing the criminal aspect in some circumstances.

Testifying for the bill was Representative Roberts.

OPPONENTS: There was no opposition voiced to the committee.

OTHERS: Others testifying on the bill say that there are some issues but there is also a middle ground. One of the issues is that some of the warrants are for failure to appear, so the officers do not always know what the underlying offense is. Warrants are not issued for traffic violations; they are issued for failure to appear.

Testifying on the bill was the Missouri Police Chiefs Association.