

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for
2 Senate Bill No. 834, Page 18, Section 559.115, Line 77, by inserting after said section and line the
3 following:
4

5 "570.030. 1. A person commits the offense of stealing if he or she:

6 (1) Appropriates property or services of another with the purpose to deprive him or her
7 thereof, either without his or her consent or by means of deceit or coercion;

8 (2) Attempts to appropriate anhydrous ammonia or liquid nitrogen of another with the
9 purpose to deprive him or her thereof, either without his or her consent or by means of deceit or
10 coercion; or

11 (3) For the purpose of depriving the owner of a lawful interest therein, receives, retains or
12 disposes of property of another knowing that it has been stolen, or believing that it has been stolen.

13 2. The offense of stealing is a class A felony if the property appropriated consists of any of
14 the following containing any amount of anhydrous ammonia: a tank truck, tank trailer, rail tank car,
15 bulk storage tank, field nurse, field tank or field applicator.

16 3. The offense of stealing is a class B felony if:

17 (1) The property appropriated or attempted to be appropriated consists of any amount of
18 anhydrous ammonia or liquid nitrogen;

19 (2) The property consists of any animal considered livestock as the term livestock is defined
20 in section 144.010, or any captive wildlife held under permit issued by the conservation
21 commission, and the value of the animal or animals appropriated exceeds three thousand dollars and
22 that person has previously been found guilty of appropriating any animal considered livestock or
23 captive wildlife held under permit issued by the conservation commission. Notwithstanding any
24 provision of law to the contrary, such person shall serve a minimum prison term of not less than
25 eighty percent of his or her sentence before he or she is eligible for probation, parole, conditional
26 release, or other early release by the department of corrections;

27 (3) A person appropriates property consisting of a motor vehicle, watercraft, or aircraft, and
28 that person has previously been found guilty of two stealing-related offenses committed on two
29 separate occasions where such offenses occurred within ten years of the date of occurrence of the
30 present offense;

31 (4) The property appropriated or attempted to be appropriated consists of any animal
32 considered livestock as the term is defined in section 144.010 if the value of the livestock exceeds
33 ten thousand dollars; or

34 (5) The property appropriated or attempted to be appropriated is owned by or in the custody
35 of a financial institution and the property is taken or attempted to be taken physically from an
36 individual person to deprive the owner or custodian of the property.

Action Taken _____ Date _____

1 4. The offense of stealing is a class C felony if the value of the property or services
2 appropriated is twenty-five thousand dollars or more.

3 5. The offense of stealing is a class D felony if:

4 (1) The value of the property or services appropriated is seven hundred fifty dollars or more;

5 (2) The offender physically takes the property appropriated from the person of the victim; or

6 (3) The property appropriated consists of:

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

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

9 (c) Any credit device, debit device or letter of credit;

10 (d) Any firearms;

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

12 (f) Any United States national flag designed, intended and used for display on buildings or
13 stationary flagstaffs in the open;

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

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

18 (i) Any book of registration or list of voters required by chapter 115;

19 (j) Any animal considered livestock as that term is defined in section 144.010;

20 (k) Any live fish raised for commercial sale with a value of seventy-five dollars or more;

21 (l) Any captive wildlife held under permit issued by the conservation commission;

22 (m) Any controlled substance as defined by section 195.010;

23 (n) Ammonium nitrate;

24 (o) Any wire, electrical transformer, or metallic wire associated with transmitting
25 telecommunications, video, internet, or voice over internet protocol service, or any other device or
26 pipe that is associated with conducting electricity or transporting natural gas or other combustible
27 fuels; or

28 (p) Any material appropriated with the intent to use such material to manufacture,
29 compound, produce, prepare, test or analyze amphetamine or methamphetamine or any of their
30 analogues.

31 6. The offense of stealing is a class E felony if:

32 (1) The property appropriated is an animal;

33 (2) The property is a catalytic converter; ~~or~~

34 (3) A person has previously been found guilty of three stealing-related offenses committed
35 on three separate occasions where such offenses occurred within ten years of the date of occurrence
36 of the present offense; or

37 (4) The property appropriated is a letter, postal card, package, bag, or other sealed article
38 that was delivered by common carrier or delivery service and not yet received by the addressee or
39 that had been left to be collected for shipment by a common carrier or delivery service.

40 7. The offense of stealing is a class D misdemeanor if the property is not of a type listed in
41 subsection 2, 3, 5, or 6 of this section, the property appropriated has a value of less than one hundred
42 fifty dollars, and the person has no previous findings of guilt for a stealing-related offense.

43 8. The offense of stealing is a class A misdemeanor if no other penalty is specified in this
44 section.

45 9. If a violation of this section is subject to enhanced punishment based on prior findings of
46 guilt, such findings of guilt shall be pleaded and proven in the same manner as required by section
47 558.021.

48 10. The appropriation of any property or services of a type listed in subsection 2, 3, 5, or 6

1 of this section or of a value of seven hundred fifty dollars or more may be considered a separate
2 felony and may be charged in separate counts.

3 11. The value of property or services appropriated pursuant to one scheme or course of
4 conduct, whether from the same or several owners and whether at the same or different times,
5 constitutes a single criminal episode and may be aggregated in determining the grade of the offense,
6 except as set forth in subsection 10 of this section."; and
7

8 Further amend said bill by amending the title, enacting clause, and intersectional references
9 accordingly.