

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NOS. 187 & 570
102ND GENERAL ASSEMBLY

0744H.02C

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 569.170, RSMo, and to enact in lieu thereof two new sections relating to offenses involving motor vehicles, with penalty provisions.

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

Section A. Section 569.170, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 569.170 and 569.175, to read as follows:

569.170. 1. A person commits the offense of burglary in the second degree when he or she knowingly:

(1) Enters unlawfully or knowingly remains unlawfully in a building or inhabitable structure for the purpose of committing a crime therein; or

(2) Enters unlawfully into a motor vehicle or any part of a motor vehicle with the intent to commit any felony or theft. As used in this subdivision, "enters" means a person intrudes with:

(a) Any part of the body; or

(b) Any physical object connected with the body.

2. The offense of burglary in the second degree is a class D felony unless committed under subdivision (2) of subsection 1 of this section and the person was in possession of a firearm or stole a firearm from the motor vehicle in which case it is a class C felony.

569.175. 1. A person commits the offense of unlawfully gaining entry into motor vehicles if the person lifts the door handles or otherwise tries the doors and locks of successive motor vehicles to gain entry into the motor vehicles unless the person is the owner of the motor vehicles or has the owners' permission to enter the motor vehicles. For purposes of this section, "successive" means lifting the door handles or otherwise trying the doors and locks of one vehicle after another.

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.

7 **2. The offense of unlawfully gaining entry into motor vehicles is a class E felony.**

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