

# HCS SS SCS SBs 189, 36 & 37 (LR# 0077H.07C)

## Criminal Laws

Section	Origin of Language	Sponsor	Description
<p><del>43.504, 43.507,</del>  211.031, 211.071,  211.600, 217.345,  217.690, <del>488.650,</del>  547.031, 547.500,  552.020, 558.016,  558.019, 558.031,  565.003, 565.258,  568.045, 571.015,  571.031, 571.070,  575.010, 575.353,  578.007, 578.022,  579.065, 579.068,  579.088, 595.209,  610.140, RSMo</p>	<p>SS SCS SBs 189,  36 &amp; 37  <b>Underlying Bill  with changes</b></p>	<p>Luetkemeyer</p>	<p>Modifies various provisions related to criminal laws. Creates Max's Law, which changes the penalties for assault on a law enforcement animal. It ranges from a class A misdemeanor to a class D felony. It creates and removes certain exemptions in relation to liability involving law enforcement animals. <b>These provisions are from SB 189.</b></p> <p>Specifies that information obtained from the central repository may be made available to legal aid organizations or expungement clinics. Amends Section 610.140, related to expungement, by adding provisions for extended course of criminal conduct and same course of criminal conduct. The HCS makes several changes to the language in Section 610.140, relating to expungements. The HCS removes "crime" in this section and restores "offenses, violations, and infractions". Creates a conviction review unit (HB 1086). <b>These provisions are from SB 36.</b></p> <p>Allows the juvenile court to have exclusive jurisdiction in proceedings involving a juvenile alleged to have violated state law and those cases may be taken by the court in the circuit where the violation occurred rather than where the juvenile resides. Increases the minimum age for discretionary certification hearings from 12 to 14. Currently a child of any age could be subject to a mandatory certification hearing if he or she is charged with specific offenses, the bill limits it to those aged 12 to 18. Adds dangerous felony to the list of offenses for mandatory certification hearings. Requires OSCA to collect certain information related to juvenile certification petitions. Specifies that correctional treatment programs that include offenders under 18 must include educational programs that award a high school diploma or its equivalent. It precludes juveniles convicted of murder 1 or murder 2 from being eligible for parole after serving 15 years. <b>These provisions are from SB 22.</b></p> <p>Changes the section related to a motion to vacate or set aside a judgment to allow a prosecutor in the jurisdiction where the charges were filed, rather than where the person was convicted, to file the motion. <b>This provision does not appear in a standalone bill.</b></p> <p>Amends provisions related to pretrial examinations for accused persons a judge has reasonable cause to believe lacks mental fitness to proceed. (HB 1082) <b>This provision is from SB 387.</b></p> <p>Adds someone who has been convicted of a dangerous felony to the definition of "persistent offender". Amends language related to armed criminal action and the offense of unlawful possession of a firearm by raising the penalty to a C felony and specifying that a person who has a prior conviction for the offense is guilty of a class B felony. <b>These provisions are from SB 502.</b></p> <p>Modifies provisions related to credit for time served and specifies that it applies to time served while in custody after the offense occurred. The HCS makes a technical change to the language in Section 558.031. Removes the distinction between trafficking powdered cocaine vs rock cocaine. <b>These provisions are from HB 1133.</b></p> <p>Modifies provisions related to transferred intent, to clarify that it is not a defense to homicide that the identity of the person the offender intended to kill cannot be established. <b>This provision is from SB 227.</b></p>

			<p>Creates a Cyberstalking and Harassment Task Force. <b>This provision is from SB 660.</b></p> <p>Adds offenses under Chapter 571 to the ways in which a person can commit the offense of endangering the welfare of a child. <b>This provision is in SB 405.</b></p> <p>Includes Blair's Law, which creates the offense of unlawful discharge of a firearm. <b>This provision is from SB 343.</b></p> <p>Clarifies that manufacturing and selling fentanyl-testing strips is not against the law. <b>This provision is from SB 480.</b></p> <p>Allows victims of violent crimes to receive notification by email. <b>This provision is from SB 337.</b></p> <p>Contains an emergency clause for the juvenile-related sections as well as for the offense of endangering the welfare of a child.</p> <p>Repeals Section 488.650.</p> <p><b>The HCS removes Sections 43.504 and 43.507.</b></p>
307.175	HB 1228	Evans	Adds canine search and rescue vehicles to the types of rescue vehicles that are treated as an emergency vehicle under Section 304.022.
544.453	HB 52	Copeland	Establishes certain factors that must be considered when a judge or judicial officer sets bail.
559.125	HB 776 with changes	Cook	Specifies that information and data obtained by a probation or parole officer can be disclosed to a law enforcement officer for the purpose of investigation and prosecution.
569.010, 569.100, 570.010, 570.030	HCS HB 725	Francis	This bill modifies offenses related to tampering with teller machines.
575.150, 575.151, 575.200	HB 251 With changes	Haffner	<p>Modifies provisions related to resisting arrest, detention, or stop. Creates the offense of aggravated resisting arrest by fleeing in or on a motor vehicle, which is a class B felony, and specifies that a person will not be eligible for probation, parole, or conditional release until he or she serves at least three years imprisonment.</p> <p>Repeals Section 575.200.</p>
590.033, 590.040, 590.080	SB 38	Williams	<p>Establishes provisions relating to peace officer standards.</p> <p>The POST Commission shall establish a chief of police training course.</p> <p>Increases the minimum number of hours for basic training for licensure to at least 600 hours and it removes the upper limit.</p> <p>Adds the causes for which the director of public safety can discipline a peace officer</p> <p>.</p>
650.058	HCS SB 72		Clarifies that the actual innocence determination for restitution must be by habeas corpus petition or a motion under Section 547.031.