

FIRST REGULAR SESSION

HOUSE BILL NO. 540

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE WEST.

1534H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 569, RSMo, by adding thereto one new section relating to the offense of trespass by an illegal alien, with penalty provisions.

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

Section A. Chapter 569, RSMo, is amended by adding thereto one new section, to be known as section 569.088, to read as follows:

569.088. 1. If a person commits an offense in violation of a state law or county or municipal ordinance and it is discovered that the person is a citizen of any other country other than the United States and the person has entered or remains in or on any public or private property in this state in violation of 8 U.S.C Section 1325 or 1326, the person shall also be guilty of the offense of trespass by an illegal alien.

2. The offense of trespass by an illegal alien is a class E felony if the other offense the person committed under subsection 1 of this section is an infraction in violation of a state law or a violation of a county or municipal ordinance. The offense of trespass by an illegal alien is a class C felony if the other offense the person committed under subsection 1 of this section is a misdemeanor or felony in violation of state law.

3. The punishment for the offense of trespass by an illegal alien shall be in addition to the punishment for the commission of the offense under subsection 1 of this section.

4. The provisions of this section shall not apply to a person who maintains authorization from the federal government to remain in the United States.

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.

16 **5. For purposes of this section, "illegal alien" means an alien who is not lawfully**
17 **present in the United States, according to the terms of 8 U.S.C. Section 1101, et seq.**

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