

FIRST REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 1218

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HINMAN.

2720H.01P

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal section 569.170, RSMo, and to enact in lieu thereof one new section relating to the offense of burglary in the second degree, 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Section A. Section 569.170, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 569.170, to read as follows:

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

(1) A building or inhabitable structure for the purpose of committing a crime therein;

or

(2) A restricted area of a commercial business for the purpose of committing a crime and the restricted area is:

(a) Commonly reserved for personnel of the commercial business where money or other property is kept; or

(b) Clearly marked with a sign or signs that indicate to the public that entry is forbidden.

2. (1) The offense of burglary in the second degree committed under subdivision (1) of subsection 1 of this section is a class D felony.

(2) The offense of burglary in the second degree committed under subdivision (2) of subsection 1 of this section is a class B misdemeanor unless committed as a second or

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.

15 **subsequent violation of subdivision (2) of subsection 1 of this section in which case it is a**
16 **class A misdemeanor.**

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