SECOND REGULAR SESSION

HOUSE BILL NO. 2699

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE DOLAN.

AN ACT

To repeal sections 575.095 and 575.260, RSMo, and to enact in lieu thereof two new sections relating to offenses involving the judiciary, with penalty provisions.

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

Section A. Sections 575.095 and 575.260, RSMo, are repealed and two new sections
2 enacted in lieu thereof, to be known as sections 575.095 and 575.260, to read as follows:
575.095. 1. A person commits the offense of tampering with a judicial officer if, with
2 the purpose to harass, intimidate or influence a judicial officer in the performance of such
3 officer's official duties, such person:
4   (1) Threatens or causes harm to such judicial officer or members of such judicial
5 officer's family;
6   (2) Uses force, threats, or deception against or toward such judicial officer or
7 members of such judicial officer's family;
8   (3) Offers, conveys or agrees to convey any benefit direct or indirect upon such
9 judicial officer or such judicial officer's family;
10   (4) Engages in conduct reasonably calculated to harass or alarm such judicial officer
11 or such judicial officer's family, including stalking pursuant to section 565.225 or 565.227;
12   (5) Disseminates through any means, including by posting on the internet, the judicial
13 officer's or the judicial officer's family's personal information. For purposes of this section,
14 "personal information" includes a home address, home or mobile telephone number, personal
15 email address, Social Security number, federal tax identification number, checking or savings
16 account number, marital status, and identity of a child under eighteen years of age.

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.

17   2. A judicial officer for purposes of this section shall be a judge or commissioner of a
18   state or federal court, arbitrator, special master, juvenile officer, deputy juvenile officer, state
19   prosecuting or circuit attorney, state assistant prosecuting or circuit attorney, juvenile court
20   commissioner, state probation or parole officer, or referee.

21   3. A judicial officer's family for purposes of this section shall be:

22   (1) Such officer's spouse; or

23   (2) Such officer or such officer's spouse's ancestor or descendant by blood or
24   adoption; or

25   (3) Such officer's stepchild, while the marriage creating that relationship exists.

26   4. The offense of tampering with a judicial officer is a class D felony.

27   5. If a violation of this section results in death or bodily injury to a judicial officer or a
28   member of the judicial officer's family, the offense is a class B felony.

29   **6. No person convicted under subdivision (1) or (2) of subsection 1 or under**
30   **subsection 5 of this section shall be eligible for parole, probation, or conditional release.**

        575.260. 1. A person commits the offense of tampering with a judicial proceeding if,
2   with the purpose to influence the official action of a judge, juror, special master, referee,
3   arbitrator, state prosecuting or circuit attorney, state assistant prosecuting or circuit attorney,
4   or attorney general in a judicial proceeding, he or she:

5   (1) Threatens or causes harm to any person or property; or

6   (2) Engages in conduct reasonably calculated to harass or alarm such official or juror;
7   or

8   (3) Offers, confers, or agrees to confer any benefit, direct or indirect, upon such
9   official or juror.

10   2. The offense of tampering with a judicial proceeding is a class D felony. **No person**
11 **convicted under subdivision (1) of subsection 1 of this section shall be eligible for parole,**
12 **probation, or conditional release.**

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