

HB 2072 -- THE OFFENSE OF ASSAULT IN THE FOURTH DEGREE

SPONSOR: Phelps

This bill amends the offense of assault in the fourth degree to include when a person knowingly causes physical pain to a special victim, defined in Section 565.002, RSMo. If a person commits the offense under this provision, the person will be guilty of a class A misdemeanor unless the person has previously pled guilty or been found guilty of being a prior or persistent assault offender, defined in Section 565.079, in which case the person will be guilty of a class E felony. If a person has previously pled or been found guilty of an assault offense on two or more occasions and the person violates the provisions of this bill, the person will be guilty of a class D felony. A person found guilty under the provisions of this bill will be required to serve at least six months' imprisonment for a first offense and at least one year for a second or subsequent offense prior to being eligible for probation or parole and the person will not be sentenced to pay a fine.