

HB 1777 -- Public Order

Sponsor or Co-Sponsors: Johnson (61), Legan

Same as or similar to: Year:

Emergency Clause: No or Effective Date of:No

Use Summary For: Version:, Year:,

Verbatim:

Modify above as follows:

New summary as follows:

#### CONSUMER PROTECTION

This bill makes it unlawful to use unfair leverage in the sale of essential consumer merchandise during a consumer marked disruption due to weather, natural disaster, civil disorder or other specified emergencies. Prima facie evidence of unfair leverage includes a showing of a gross disparity between the price at which the seller sold the merchandise and the seller's price for similar merchandise before the marked disruption, or a gross disparity between the price at which the seller sold the merchandise and the price at which comparable merchandise was available in the area at the same time. Prima facie evidence may be rebutted by the seller by a showing that the seller did not exercise unfair leverage. Persons who exercise unfair leverage are liable for restitution to consumers, a civil penalty to the State of Missouri, and may be subject to civil action commenced by the Attorney General

The bill also authorizes the governor to declare a consumer

emergency by executive order if a consumer market disruption exists, and specifies what such an order must include.

The bill creates the crime of criminal profiteering. Criminal profiteering is defined as knowingly or recklessly selling essential consumer merchandise at a profit margin over 10% greater than the seller's profit margin for similar merchandise before a consumer market disruption. Criminal profiteering is a class D felony.

#### TERRORIST THREATS

This bill revises the current crime of making a terrorist threat. It removes existing language that defines making a terrorist threat as threatening to commit a felony or making a false report about the commission of a felony, and replaces it with threatening to commit or making a false report about an incident or condition involving danger to life. It also makes certain technical changes.

Amy