

HOUSE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE

FOR  
HOUSE BILL NO. 1152

AN ACT

2 To repeal section 574.115, RSMo, and to enact  
3 in lieu thereof three new sections relating  
4 to certain crimes involving terrorism, with  
5 penalty provisions.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI,  
7 AS FOLLOWS:

8 Section A. Section 574.115, RSMo, is repealed and three new  
9 sections enacted in lieu thereof, to be known as sections  
10 574.115, 574.117, and 574.119, to read as follows:

11 574.115. 1. A person commits the crime of making a  
12 terrorist threat if such person communicates a threat, by any  
13 means, to commit any crime of violence or to cause an incident or  
14 condition involving danger to life, [communicates a] or knowingly  
15 makes a false report of an incident or condition involving danger  
16 to life, or knowingly causes a false belief or fear that an  
17 incident has occurred or that a condition exists involving danger  
18 to life:

19 (1) With the purpose of frightening [ten or more people]  
20 any person;

1           (2) With the purpose of causing serious public  
2 inconvenience or terror, including but not limited to the  
3 disruption of public services or the evacuation, quarantine or  
4 closure of any portion of a building, inhabitable structure,  
5 place of assembly or facility of transportation; or

6           (3) With reckless disregard of the risk of causing serious  
7 public inconvenience or terror, including but not limited to the  
8 disruption of public services or the evacuation, quarantine or  
9 closure of any portion of a building, inhabitable structure,  
10 place of assembly or facility of transportation; or

11          (4) With criminal negligence with regard to the risk of  
12 causing serious public inconvenience or terror, including but not  
13 limited to the disruption of public services or the evacuation,  
14 quarantine or closure of any portion of a building, inhabitable  
15 structure, place of assembly or facility of transportation.

16          2. Making a terrorist threat is a class C felony unless  
17 committed under subdivision (3) of subsection 1 of this section  
18 in which case it is a class D felony or unless committed under  
19 subdivision (4) of subsection 1 of this section in which case it  
20 is a class A misdemeanor.

21          3. For the purpose of this section, "by any means" includes  
22 verbal communications, written communications, or communications  
23 through the use of an electronic device; "crime of violence"  
24 includes any crime that involves the use of force; and "threat"  
25 includes an express or implied threat.

1           4. A person who acts in good faith with the purpose to  
2 prevent harm does not commit a crime pursuant to this section.

3           574.117. 1. A person commits the crime of threatening the  
4 use of a weapon of mass destruction if such person knowingly  
5 makes a threat to an identifiable group to use a weapon of mass  
6 destruction with a specific intent that the statement made  
7 verbally, in writing, or by means of an electronic communication  
8 device is to be taken as a threat, even if there is no intent of  
9 actually carrying it out, which on its face and under the  
10 circumstances in which it is made, is so unequivocal, immediate,  
11 and specific as to convey to the person threatened a gravity of  
12 purpose and an immediate prospect of execution of the threat, and  
13 thereby cause that person reasonably to be in substantial fear of  
14 his or her own safety, or of his or her immediate family's  
15 safety.

16           2. As used in this section "threat" includes express or  
17 implied threats and "identifiable group" includes but is not  
18 limited to law enforcement, prosecutors, judges, and ethnic or  
19 religious organizations.

20           3. As used in this section "weapon of mass destruction"  
21 means any biological or chemical agent or substance or any  
22 radioactive material capable of causing serious physical injury  
23 as defined in section 565.002, RSMo, serious illness, or death  
24 when unleashed by any means, or any explosive or incendiary  
25 device as defined pursuant to section 574.070 or explosive

1 nuclear device.

2 4. Threatening the use of a weapon of mass destruction is a  
3 class C felony for a first offense and a class B felony for a  
4 second or subsequent offense.

5 574.119. 1. A person commits the crime of computer  
6 dissemination of information to promote a terrorist act if such  
7 person knowingly furnishes or disseminates through a computer or  
8 computer network any picture, photograph, drawing or similar  
9 visual or verbal description of any information designed to  
10 encourage, solicit, or otherwise promote a terrorist act.

11 2. As used in this section "terrorist act" means:

12 (1) Any act that is intended to cause or create or does  
13 cause or create a risk of death or serious physical injury to one  
14 or more persons;

15 (2) Any act that disables or destroys the usefulness or  
16 operation of any communications system;

17 (3) Any act or any series of two or more acts committed in  
18 furtherance of a single intention, scheme, or design that  
19 disables or destroys the usefulness or operation of a computer  
20 network, computers, computer programs, or data used by any  
21 industry, by any class of business, or by five or more businesses  
22 or by the federal government, state government, any local unit of  
23 government, a public utility, a manufacturer of pharmaceuticals,  
24 a national defense contractor, or a manufacturer of chemical or  
25 biological products used in or in connection with agricultural

1 production;

2 (4) Any act that disables or causes substantial damage to  
3 or destruction of any structure or facility used in connection  
4 with ground, air, or water transportation, the production or  
5 distribution of electricity, gas, oil, or other fuel, the  
6 treatment of sewage, or the treatment or distribution of water,  
7 or controlling the flow of any body of water;

8 (5) Any act that causes substantial damage to or  
9 destruction of livestock or to crops or a series of two or more  
10 acts committed in furtherance of a single intention, scheme, or  
11 design, which in the aggregate, causes substantial damage to or  
12 destruction of livestock or crops;

13 (6) Any act that causes substantial damage to or  
14 destruction of any hospital or any building or facility used by  
15 the federal government, state government, any unit of local  
16 government or by a national defense contractor or by a public  
17 utility, a manufacturer of pharmaceuticals, a manufacturer of  
18 chemical or biological products used in or in connection with  
19 agricultural production or the storage or processing of  
20 agricultural products or the preparation of agricultural products  
21 for food or food products intended for resale or for feed for  
22 livestock;

23 (7) Any act that causes substantial damage to any building  
24 containing five or more businesses of any type or to any building  
25 in which ten or more people reside;

1           (8) Any act that uses a burning or flaming cross or other  
2 burning or flaming symbol or flambeau with the intent to  
3 terrorize another or another's household;

4           (9) Any act that involves shooting or throwing an object at  
5 a conveyance which is being operated or which is occupied by  
6 passengers which is not done in the commission of an otherwise  
7 lawful act; or

8           (10) Any act that involves the release of any hazardous  
9 substance or any simulated hazardous substance under the guise of  
10 a hazardous substance for the purpose of terrorizing another or  
11 of causing the evacuation of a building, place of assembly, or a  
12 facility of public transportation, or otherwise causing a serious  
13 public inconvenience or in negligent or reckless disregard of the  
14 risk of causing such terror or inconvenience.

15           3. Computer dissemination of information to promote a  
16 terrorist act is a class B felony.