

FIRST REGULAR SESSION

HOUSE BILL NO. 693

96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES SCHAD (Sponsor), COX, LARGENT, LOEHNER, HIGDON,
HINSON AND SCHARNHORST (Co-sponsors).

1184L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 570.080, RSMo, and to enact in lieu thereof one new section relating to receiving stolen property, with penalty provisions.

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

Section A. Section 570.080, RSMo, is repealed and one new section enacted in lieu
2 thereof, to be known as section 570.080, to read as follows:

570.080. 1. A person commits the crime of receiving stolen property if for the purpose
2 of depriving the owner of a lawful interest therein, he or she receives, retains or disposes of
3 property of another knowing that it has been stolen, or believing that it has been stolen.

4 2. Evidence of the following is admissible in any criminal prosecution pursuant to this
5 section to prove the requisite knowledge or belief of the alleged receiver:

6 (1) That he or she was found in possession or control of other property stolen on separate
7 occasions from two or more persons;

8 (2) That he or she received other stolen property in another transaction within the year
9 preceding the transaction charged;

10 (3) That he or she acquired the stolen property for a consideration which he or she knew
11 was far below its reasonable value;

12 (4) That he or she obtained control over stolen property knowing the property to have
13 been stolen or under such circumstances as would reasonably induce a person to believe the
14 property was stolen.

15 3. [Receiving stolen property is a class A misdemeanor unless the property involved has
16 a value of five hundred dollars or more, or the person receiving the property is a dealer in goods

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 of the type in question, or the property involved is an explosive weapon as that term is defined
18 in section 571.010, in which cases receiving stolen property is a class C felony.]
19 **Notwithstanding any other provision of law, any violation of this section in which the value**
20 **of property or services is an element is a class C felony if:**

21 **(1) The value of the property or services appropriated is five hundred dollars or**
22 **more but less than twenty-five thousand dollars; or**

23 **(2) The actor physically takes the property appropriated from the person of the**
24 **victim; or**

25 **(3) The property appropriated consists of:**

26 **(a) Any motor vehicle, watercraft or aircraft; or**

27 **(b) Any will or unrecorded deed affecting real property; or**

28 **(c) Any credit card or letter of credit; or**

29 **(d) Any firearms; or**

30 **(e) Any explosive weapon as defined in section 571.010; or**

31 **(f) A U.S. national flag designed, intended, and used for display on buildings or**
32 **stationary flagstaffs in the open; or**

33 **(g) Any original copy of an act, bill, or resolution, introduced or acted upon by the**
34 **legislature of the state of Missouri; or**

35 **(h) Any pleading, notice, judgment, or any other record or entry of any court of this**
36 **state, any other state, or of the U.S.; or**

37 **(i) Any book of registration or list of voters required by chapter 115; or**

38 **(j) Any animal considered livestock as that term is defined in section 144.010; or**

39 **(k) Live fish raised for commercial sale with a value of seventy-five dollars; or**

40 **(l) Captive wildlife held under permit issued by the conservation commission; or**

41 **(m) Any controlled substance as defined by section 195.010; or**

42 **(n) Anhydrous ammonia; or**

43 **(o) Ammonium nitrate; or**

44 **(p) Any document of historical significance which has fair market value of five**
45 **hundred dollars or more.**

46 **4. The receipt of any item of property or services under subsection 3 of this section**
47 **which exceeds five hundred dollars may be considered a separate felony and may be**
48 **charged in separate counts.**

49 **5. Any person with a prior conviction of paragraph (j) or (l) of subdivision (3) of**
50 **subsection 3 of this section and who violates the provisions of paragraph (j) or (l) of**
51 **subdivision (3) of subsection 3 of this section when the value of the animal or animals stolen**
52 **exceeds three thousand dollars is guilty of a class B felony. Notwithstanding any provision**

53 of law to the contrary, such person shall serve a minimum prison term of not less than
54 eighty percent of his or her sentence before he or she is eligible for probation, parole,
55 conditional release, or other early release by the department of corrections.

56 **6. Any offense in which the value of property or services is an element is a class B**
57 **felony if the value of the property or services equals or exceeds twenty-five thousand**
58 **dollars.**

59 **7. Any violation of this section for which no other penalty is specified in this section**
60 **is a class A misdemeanor.**

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