

FIRST REGULAR SESSION

# HOUSE BILL NO. 500

## 98TH GENERAL ASSEMBLY

---

INTRODUCED BY REPRESENTATIVE PETERS.

1116L.011

D. ADAM CRUMBLISS, Chief Clerk

---

### AN ACT

To repeal sections 556.001, 565.084, and 575.095, RSMo, and to enact in lieu thereof five new sections relating to offenses against officers of the state, with penalty provisions.

---

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

Section A. Sections 556.001, 565.084, and 575.095, RSMo, are repealed and five new sections enacted in lieu thereof, to be known as sections 556.001, 565.500, 565.505, 565.510, and 565.515, to read as follows:

556.001. The enactment of sections 27.105, 43.544, 192.2400, 192.2405, 192.2410, 192.2415, 192.2420, 192.2425, 192.2430, 192.2435, 192.2440, 192.2445, 192.2450, 192.2455, 192.2460, 192.2465, 192.2470, 192.2475, 192.2480, 192.2485, 192.2490, 192.2495, 192.2500, 192.2505, 302.400, 302.405, 302.410, 302.415, 302.420, 302.425, 302.426, 302.440, 302.442, 302.454, 302.456, 302.458, 302.460, 302.462, 302.574, 305.580, 302.584, 302.592, 305.125, 305.126, 311.315, 351.493, 479.172, 513.660, 537.123, 537.127, 542.425, 544.218, 544.472, 545.940, 556.038, 556.101, 557.051, 558.002, 558.004, 558.006, 558.008, 562.012, 562.014, 565.010, 565.027, 565.029, 565.052, 565.054, 565.056, 565.076, 565.079, 565.091, 565.189, 565.222, 565.227, 565.240, 566.069, 566.071, 566.115, 566.116, 566.125, 566.210, 566.211, 569.053, 569.075, 569.132, 569.135, 569.137, 570.023, 570.025, 570.039, 570.053, 570.057, 570.302, 570.350, 570.375, 570.400, 570.402, 570.404, 570.406, 570.408, 570.410, 572.015, 573.200, 573.205, 573.215, 574.005, 574.080, 574.120, 574.125, 574.130, 574.140, [575.095,] 575.133, 575.155, 575.157, 577.013, 577.014, 577.015, 577.016, 577.024, 577.025, 577.078, 577.300, 577.599, 577.605, 577.700, 577.703, 577.706, 577.709, 577.712, 577.715, 577.718, 578.026, 578.398, 578.399, 578.475, 579.015, 579.020, 579.030, 579.040, 579.045, 579.050, 579.055, 579.060, 579.065, 579.068, 579.070, 579.072, 579.074, 579.076, 579.078, 579.080,

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.

17 579.082, 579.084, 579.086, 579.090, 579.095, 579.097, 579.099, 579.101, 579.103, 579.105,  
18 579.107, 579.110, 579.115, 579.150, 579.155, 579.170, 579.175, 579.180, 579.185, 595.223,  
19 595.226, 595.229, 595.232, 610.130, 630.161, 630.162, 630.164, 650.150, 650.153, 650.156,  
20 650.159, 650.161, 650.165, and 660.360, and the repeal and reenactment of sections 32.057,  
21 105.478, 115.631, 130.028, 142.909, 142.911, 143.1001, 143.1003, 149.200, 160.261, 167.115,  
22 167.171, 168.071, 188.030, 190.621, 191.905, 191.914, 193.315, 194.410, 194.425, 195.005,  
23 195.010, 195.015, 195.016, 195.017, 195.030, 195.040, 195.050, 195.060, 195.080, 195.100,  
24 195.140, 195.150, 195.190, 195.195, 195.198, 195.375, 195.417, 195.418, 196.979, 197.266,  
25 197.326, 198.015, 198.070, 198.097, 198.158, 205.965, 210.117, 210.165, 210.1012, 211.038,  
26 214.410, 217.010, 217.364, 217.385, 217.400, 217.405, 217.541, 217.542, 217.543, 217.692,  
27 217.703, 217.735, 217.785, 221.025, 221.111, 221.353, 252.235, 253.080, 260.207, 260.208,  
28 260.211, 260.212, 270.260, 276.421, 276.536, 277.180, 285.306, 285.308, 287.128, 287.129,  
29 288.250, 288.395, 301.390, 301.400, 301.401, 301.570, 301.640, 302.015, 302.020, 302.060,  
30 302.304, 302.309, 302.321, 302.500, 302.540, 302.541, 302.605, 302.700, 302.705, 302.710,  
31 302.727, 302.745, 302.750, 302.755, 302.780, 303.024, 303.025, 304.070, 306.420, 311.325,  
32 313.004, 313.040, 313.290, 313.550, 313.660, 313.830, 317.018, 320.089, 320.161, 324.1142,  
33 324.1148, 334.250, 335.096, 338.195, 338.315, 338.370, 354.320, 362.170, 367.031, 367.045,  
34 374.210, 374.216, 374.702, 374.757, 374.789, 375.310, 375.537, 375.720, 375.786, 375.991,  
35 375.1176, 375.1287, 380.391, 382.275, 389.653, 407.020, 407.095, 407.420, 407.436, 407.516,  
36 407.521, 407.536, 407.544, 407.740, 407.1082, 407.1252, 411.260, 411.287, 411.371, 411.517,  
37 411.770, 413.229, 429.012, 429.013, 429.014, 436.485, 443.810, 443.819, 453.110, 455.085,  
38 455.538, 476.055, 542.402, 544.665, 556.011, 556.021, 556.026, 556.036, 556.037, 556.041,  
39 556.046, 556.061, 557.016, 557.021, 557.026, 557.031, 557.035, 557.036, 558.011, 558.016,  
40 558.019, 558.031, 558.041, 558.046, 559.012, 559.021, 559.036, 559.100, 559.106, 559.110,  
41 559.115, 559.120, 559.125, 559.600, 559.604, 559.633, 561.016, 561.021, 561.026, 562.011,  
42 562.016, 562.031, 562.036, 562.041, 562.051, 562.056, 562.061, 562.066, 562.071, 562.076,  
43 562.086, 563.021, 563.026, 563.046, 563.051, 563.056, 563.061, 563.070, 565.002, 565.004,  
44 565.021, 565.023, 565.024, 565.035, 565.050, 565.072, 565.073, 565.074, 565.090, 565.110,  
45 565.115, 565.120, 565.130, 565.140, 565.150, 565.153, 565.156, 565.160, 565.163, 565.184,  
46 565.188, 565.218, 565.225, 565.252, 565.300, 566.010, 566.020, 566.023, 566.030, 566.031,  
47 566.032, 566.034, 566.060, 566.061, 566.062, 566.064, 566.067, 566.068, 566.083, 566.086,  
48 566.093, 566.100, 566.101, 566.111, 566.145, 566.147, 566.148, 566.149, 566.150, 566.151,  
49 566.153, 566.155, 566.203, 566.206, 566.209, 566.215, 566.218, 567.010, 567.020, 567.030,  
50 567.050, 567.060, 567.070, 567.080, 567.085, 567.087, 567.110, 567.120, 568.010, 568.020,  
51 568.030, 568.032, 568.040, 568.045, 568.050, 568.060, 568.065, 568.070, 568.175, 569.010,  
52 569.040, 569.050, 569.055, 569.060, 569.065, 569.080, 569.090, 569.095, 569.097, 569.099,

53 569.100, 569.120, 569.140, 569.145, 569.150, 569.155, 569.160, 569.170, 569.180, 570.010,  
54 570.020, 570.030, 570.070, 570.085, 570.090, 570.100, 570.103, 570.110, 570.120, 570.125,  
55 570.130, 570.135, 570.140, 570.145, 570.150, 570.180, 570.210, 570.217, 570.219, 570.220,  
56 570.223, 570.224, 570.225, 570.300, 570.310, 570.380, 572.010, 572.020, 572.030, 572.040,  
57 572.050, 572.060, 572.070, 573.010, 573.020, 573.023, 573.025, 573.030, 573.035, 573.037,  
58 573.040, 573.050, 573.052, 573.060, 573.065, 573.090, 573.100, 573.509, 573.531, 574.010,  
59 574.020, 574.035, 574.040, 574.050, 574.060, 574.070, 574.075, 574.085, 574.105, 574.115,  
60 575.020, 575.030, 575.040, 575.050, 575.060, 575.070, 575.080, 575.090, 575.100, 575.110,  
61 575.120, 575.130, 575.145, 575.150, 575.153, 575.159, 575.160, 575.170, 575.180, 575.190,  
62 575.195, 575.200, 575.205, 575.206, 575.210, 575.220, 575.230, 575.240, 575.250, 575.260,  
63 575.270, 575.280, 575.290, 575.300, 575.310, 575.320, 575.353, 576.010, 576.020, 576.030,  
64 576.040, 576.050, 576.060, 576.070, 576.080, 577.001, 577.010, 577.012, 577.017, 577.020,  
65 577.021, 577.023, 577.029, 577.031, 577.037, 577.041, 577.060, 577.068, 577.070, 577.073,  
66 577.075, 577.076, 577.080, 577.100, 577.150, 577.155, 577.161, 577.600, 577.612, 577.675,  
67 578.009, 578.012, 578.018, 578.021, 578.023, 578.024, 578.025, 578.027, 578.028, 578.029,  
68 578.030, 578.050, 578.095, 578.151, 578.152, 578.153, 578.173, 578.176, 578.350, 578.365,  
69 578.405, 578.421, 578.425, 578.430, 578.437, 578.520, 578.525, 578.614, 589.015, 589.400,  
70 589.425, 590.700, 610.125, 630.155, 630.165, 632.480, and 701.320, and the repeal of sections  
71 130.028, 130.031, 195.025, 195.110, 195.130, 195.135, 195.180, 195.202, 195.204, 195.211,  
72 195.212, 195.213, 195.214, 195.217, 195.218, 195.219, 195.222, 195.223, 195.226, 195.233,  
73 195.235, 195.241, 195.242, 195.246, 195.248, 195.252, 195.254, 195.256, 195.275, 195.280,  
74 195.285, 195.291, 195.292, 195.295, 195.296, 195.367, 195.369, 195.371, 195.420, 195.501,  
75 195.503, 195.505, 195.507, 195.509, 195.511, 195.515, 217.360, 302.060, 302.304, 306.110,  
76 306.111, 306.112, 306.114, 306.116, 306.117, 306.118, 306.119, 306.141, 476.055, 556.016,  
77 556.022, 556.051, 556.056, 556.063, 557.041, 557.046, 558.018, 560.011, 560.016, 560.021,  
78 560.026, 560.031, 560.036, 564.011, 564.016, 565.025, 565.060, 565.063, 565.065, 565.070,  
79 565.075, 565.080, 565.081, 565.082, 565.083, [565.084,] 565.085, 565.086, 565.092, 565.095,  
80 565.100, 565.149, 565.165, 565.169, 565.180, 565.182, 565.186, 565.190, 565.200, 565.210,  
81 565.212, 565.214, 565.216, 565.220, 565.250, 565.253, 565.255, 565.350, 566.013, 566.135,  
82 566.140, 566.141, 566.212, 566.213, 566.221, 566.224, 566.226, 566.265, 567.040, 568.052,  
83 568.080, 568.090, 568.100, 568.110, 568.120, 569.020, 569.025, 569.030, 569.035, 569.067,  
84 569.070, 569.072, 569.094, 570.033, 570.040, 570.050, 570.055, 570.080, 570.087, 570.123,  
85 570.155, 570.160, 570.170, 570.190, 570.200, 570.215, 570.222, 570.226, 570.230, 570.235,  
86 570.240, 570.241, 570.245, 570.255, 572.110, 572.120, 573.013, 573.500, 573.528, 574.030,  
87 575.021, 575.350, 577.005, 577.006, 577.026, 577.039, 577.041, 577.049, 577.051, 577.052,  
88 577.054, 577.065, 577.071, 577.090, 577.105, 577.110, 577.160, 577.201, 577.203, 577.206,

89 577.208, 577.211, 577.214, 577.217, 577.221, 577.500, 577.505, 577.510, 577.515, 577.520,  
90 577.525, 577.530, 577.602, 577.604, 577.606, 577.608, 577.610, 577.614, 577.625, 577.628,  
91 577.680, 578.008, 578.075, 578.150, 578.154, 578.200, 578.205, 578.210, 578.215, 578.220,  
92 578.225, 578.250, 578.255, 578.260, 578.265, 578.300, 578.305, 578.310, 578.315, 578.320,  
93 578.325, 578.330, 578.353, 578.360, 578.363, 578.375, 578.377, 578.379, 578.381, 578.383,  
94 578.385, 578.387, 578.389, 578.390, 578.392, 578.407, 578.409, 578.412, 578.414, 578.416,  
95 578.418, 578.420, 578.433, 578.445, 578.450, 578.500, 578.510, 578.530, 578.570, 660.250,  
96 660.255, 660.260, 660.261, 660.263, 660.265, 660.270, 660.275, 660.280, 660.285, 660.290,  
97 660.295, 660.300, 660.305, 660.310, 660.315, 660.317, 660.320, and 660.321 shall become  
98 effective January 1, 2017.

**565.500. 1. Sections 565.500 to 565.515 shall be known and may be cited as the  
2 "Public Service Protection Act of 2015".**

3 **2. For purposes of sections 565.500 to 565.515, the following terms shall mean:**

4 **(1) "Officer of the state":**

5 **(a) A member or member-elect of the general assembly;**

6 **(b) A judge or judicial officer, including any judge, arbitrator, special master,  
7 juvenile officer, deputy juvenile officer, state prosecuting or circuit attorney, state assistant  
8 prosecuting or circuit attorney, juvenile court commissioner, state probation or parole  
9 officer, or referee;**

10 **(c) Any other person holding an elective office of state government;**

11 **(d) Any agency head, department director, or division director of state government;**

12 **(e) Any member of any state board or commission; or**

13 **(f) Any designated decision-making public servant designated by persons described  
14 in this subdivision;**

15 **(2) "Officer of the state's family" or "officer's family":**

16 **(a) Such officer's spouse; or**

17 **(b) Such officer's or officer's spouse's ancestor or descendant by blood or adoption;  
18 or**

19 **(c) Such officer's stepchild, while the marriage creating that relationship exists.**

**565.505. 1. Any person who assaults, kidnaps, or murders, or attempts or conspires  
2 to kidnap or murder, or threatens to assault, kidnap, or murder:**

3 **(1) An officer of the state or an officer of the state's family with intent to impede,  
4 intimidate, or interfere with such officer while engaged in the performance of official duties  
5 or with intent to retaliate against such officer on account of the performance of official  
6 duties; or**

7           **(2) Any former officer of this state or former officer's family with the intent to**  
8 **retaliate against such former officer on account of the performance of official duties during**  
9 **the term of service of such former officer**

10  
11 **is guilty of the applicable offense under this chapter and shall be subject to the enhanced**  
12 **punishments under subsection 2 of this section.**

13           **2. The following enhanced penalties shall apply to offenses committed, attempted,**  
14 **or conspired to be committed against officers of the state:**

15           **(1) Assault in the first degree is a class A felony;**

16           **(2) Assault in the second degree is a class B felony;**

17           **(3) Assault in the third degree is a class C felony until December 31, 2016, and a**  
18 **class D felony beginning January 1, 2017;**

19           **(4) Kidnaping is a class A felony;**

20           **(5) Felonious restraint is a class B felony;**

21           **(6) False imprisonment is a class D felony until December 31, 2016, and a class E**  
22 **felony beginning January 1, 2017;**

23           **(7) For murder, the death penalty is authorized; and**

24           **(8) For any attempt or conspiracy to commit an offense under this section, the**  
25 **enhanced penalties under this subsection for the offense attempted or conspired to be**  
26 **committed shall apply for purposes of subsection 3 of section 564.011 until December 31,**  
27 **2016, and subsection 3 of section 562.012 beginning January 1, 2017, and subsection 8 of**  
28 **section 564.016 until December 31, 2016, and subsection 8 of section 562.014 beginning**  
29 **January 1, 2017.**

30           **3. Any person who threatens to assault an officer of the state or such officer's**  
31 **family, or a former officer of the state or such former officer's family, is guilty of a class**  
32 **D felony until December 31, 2016, and a class E felony beginning January 1, 2017.**

33           **4. Any person who threatens to kidnap or murder an officer of the state or such**  
34 **officer's family, or a former officer of the state or such former officer's family, is guilty of**  
35 **a class C felony until December 31, 2016, and a class D felony beginning January 1, 2017.**

**565.510. Any person who knowingly conveys or delivers any letter, paper, writing,**  
2 **print, missive, or document containing any threat to take the life of, to kidnap, or to inflict**  
3 **bodily harm or who knowingly makes any such threat on:**

4           **(1) An officer of the state or an officer's family with intent to impede, intimidate,**  
5 **or interfere with such officer while engaged in the performance of official duties or with**  
6 **intent to retaliate against such officer on account of the performance of official duties; or**

7           **(2) Any former officer of this state or former officer's family with the intent to**  
8 **retaliate against such former officer on account of the performance of official duties during**  
9 **the term of service of such former officer**

10

11 **is guilty of a class D felony until December 31, 2016, and a class E felony beginning**  
12 **January 1, 2017.**

[565.084.] **565.515.** 1. A person commits the crime of tampering with [a judicial] **an**  
2 **officer of the state** if, with the purpose to harass, intimidate or influence [a judicial] **an** officer  
3 **of the state** in the performance of such 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 members  
7 of such [judicial] officer's family;

8           (3) Offers, conveys or agrees to convey any benefit direct or indirect upon such [judicial]  
9 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] **under** section 565.225.

12           2. [A judicial officer for purposes of this section shall be a judge, arbitrator, special  
13 master, juvenile officer, deputy juvenile officer, state prosecuting or circuit attorney, state  
14 assistant prosecuting or circuit attorney, juvenile court commissioner, state probation or parole  
15 officer, or referee.

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

17           (1) Such officer's spouse; or

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

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

21           4.] Tampering with [a judicial] **an** officer **of the state** is a class C felony **until**  
22 **December 31, 2016, and a class D felony beginning January 1, 2017.**

23           **3. The provisions of this section shall not apply to any otherwise permissible or**  
24 **lawful activity of or action by a lobbyist, as defined in section 105.470.**

[575.095. 1. A person commits the offense of tampering with a judicial  
2 officer if, with the purpose to harass, intimidate or influence a judicial officer in  
3 the performance of such officer's official duties, such person:

4           (1) Threatens or causes harm to such judicial officer or members of such  
5 judicial officer's family;

6           (2) Uses force, threats, or deception against or toward such judicial  
7 officer or members of such judicial officer's family;

- 8                   (3) Offers, conveys or agrees to convey any benefit direct or indirect
- 9                   upon such judicial officer or such judicial officer's family;
- 10                  (4) Engages in conduct reasonably calculated to harass or alarm such
- 11                  judicial officer or such judicial officer's family, including stalking pursuant to
- 12                  section 565.225 or 565.227.
- 13                  2. A judicial officer for purposes of this section shall be a judge,
- 14                  arbitrator, special master, juvenile officer, deputy juvenile officer, state
- 15                  prosecuting or circuit attorney, state assistant prosecuting or circuit attorney,
- 16                  juvenile court commissioner, state probation or parole officer, or referee.
- 17                  3. A judicial officer's family for purposes of this section shall be:
- 18                  (1) Such officer's spouse; or
- 19                  (2) Such officer or such officer's spouse's ancestor or descendant by
- 20                  blood or adoption; or
- 21                  (3) Such officer's stepchild, while the marriage creating that relationship
- 22                  exists.
- 23                  4. The offense of tampering with a judicial officer is a class D felony.]

✓