

SECOND REGULAR SESSION

# HOUSE BILL NO. 1532

## 96TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES SCHOELLER (Sponsor), McCAHERTY, PIERSON, SHUMAKE,  
GUERNSEY, CRAWFORD AND McGHEE (Co-sponsors).

5151L.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal section 574.085, RSMo, and to enact in lieu thereof two new sections relating to the house of worship act, with penalty provisions.

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

Section A. Section 574.085, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 574.035 and 574.085, to read as follows:

**574.035. 1. This section shall be known and may be cited as the "House of Worship Act".**

**2. For purposes of this section, "house of worship" means any church, synagogue, other building or structure, or public or private place used for religious worship, religious instruction, or other religious purpose.**

**3. A person commits the crime of disrupting a house of worship if such person:**

**(1) Knowingly disturbs, interrupts, or disquiets any house of worship by using profane discourse, rude or indecent behavior, or making unreasonable noise either within the house of worship or so near it as to disturb the order and solemnity of the worship services; or**

**(2) Intentionally injures, intimidates, or interferes with or attempts to injure, intimidate, or interfere with any person lawfully exercising the right of religious freedom in or outside of a house of worship or seeking access to a house of worship, whether by force, threat, or physical destruction.**

**4. Disrupting a house of worship is a class C misdemeanor. Any second offense is a class B misdemeanor. Any third or subsequent offense is a class A misdemeanor.**

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           **5. In addition to any criminal penalty for violating the provisions of this section,**  
18 **any person aggrieved by conduct prohibited under this section may commence a civil**  
19 **action for appropriate relief, including but not limited to temporary, preliminary, or**  
20 **permanent injunctive relief, and compensatory and punitive damages, as well as costs and**  
21 **reasonable attorney's fees.**

          574.085. 1. A person commits the crime of institutional vandalism by knowingly  
2 vandalizing, defacing or otherwise damaging:

3           (1) Any church, synagogue or other building, structure or place used for religious  
4 worship or other religious purpose;

5           (2) Any cemetery, mortuary, military monument or other facility used for the purpose  
6 of burial or memorializing the dead;

7           (3) Any school, educational facility, community center, hospital or medical clinic owned  
8 and operated by a religious or sectarian group;

9           (4) The grounds adjacent to, and owned or rented by, any institution, facility, building,  
10 structure or place described in subdivision (1), (2), or (3) of this subsection;

11           (5) Any personal property contained in any institution, facility, building, structure or  
12 place described in subdivision (1), (2), or (3) of this subsection; or

13           (6) Any motor vehicle which is owned, operated, leased or under contract by a school  
14 district or a private school for the transportation of school children.

15           2. Institutional vandalism is punishable as follows:

16           (1) Institutional vandalism is a class A misdemeanor, except as provided in subdivisions  
17 (2) and (3) of this subsection;

18           (2) Institutional vandalism is a class D felony if the offender commits any act described  
19 in subsection 1 of this section which causes damage to, or loss of, the property of another in an  
20 amount in excess of one thousand dollars;

21           (3) Institutional vandalism is a class C felony if the offender commits any act described  
22 in subsection 1 of this section which causes damage to, or loss of, the property of another in an  
23 amount in excess of five thousand dollars.

24           3. In determining the amount of damage to property or loss of property, for purposes of  
25 this section, damage includes the cost of repair or, where necessary, replacement of the property  
26 that was damaged or lost.

27           **4. In addition to any criminal penalty for violating the provisions of this section,**  
28 **any person aggrieved by conduct prohibited under this section may commence a civil**  
29 **action for appropriate relief, including but not limited to temporary, preliminary, or**  
30 **permanent injunctive relief, and compensatory and punitive damages, as well as costs and**  
31 **reasonable attorney's fees.**

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