

FIRST REGULAR SESSION

# HOUSE BILL NO. 1277

## 101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE PIKE.

2532H.011

DANA RADEMAN MILLER, Chief Clerk

### AN ACT

To repeal section 574.105, RSMo, and to enact in lieu thereof one new section relating to the offense of money laundering, with penalty provisions.

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

Section A. Section 574.105, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 574.105, to read as follows:

574.105. 1. As used in this section, the following terms mean:

(1) "Conducts", initiating, concluding or participating in initiating or concluding a transaction;

(2) "Criminal activity", any act or activity constituting an offense punishable as a felony pursuant to the laws of Missouri or the United States;

(3) ~~["Currency", currency and coin of the United States;~~

~~(4) "Currency transaction", a transaction involving the physical transfer of currency from one person to another. A transaction which is a transfer of funds by means of bank check, bank draft, wire transfer or other written order, and which does not include the physical transfer of currency is not a currency transaction]~~ **"Financial transaction", a transaction:**

**(a) Involving:**

**a. The movement of funds by wire or other means;**

**b. One or more monetary instruments; or**

**c. The transfer of title to any real property, vehicle, vessel, or aircraft; or**

**(b) Involving the use of a financial institution;**

**(4) "Monetary instruments":**

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           **(a) Currency and coin of the United States or of any other country, crypto**  
18 **currency, travelers' checks, personal checks, bank checks, bank wires and money orders;**  
19 **or**

20           **(b) Investment securities or negotiable instruments, in bearer form or otherwise in**  
21 **such form that title thereto passes upon delivery;**

22           (5) "Person", natural persons, partnerships, trusts, estates, associations, corporations and  
23 all entities cognizable as legal personalities;

24           **(6) "Transaction", a purchase, sale, loan, pledge, gift, transfer, delivery, or other**  
25 **disposition, and with respect to a financial institution includes a deposit, withdrawal,**  
26 **transfer between accounts, exchange of currency, loan, extension of credit, purchase or sale**  
27 **of any stock, bond, certificate of deposit, or other monetary instrument, use of a safe**  
28 **deposit box, or any other payment, transfer, or delivery by, through, or to a financial**  
29 **institution, by whatever means effected.**

30           2. A person commits the offense of money laundering if he or she:

31           (1) Conducts or attempts to conduct a [~~currency~~] **financial** transaction with the purpose  
32 to promote or aid the carrying on of criminal activity; or

33           (2) Conducts or attempts to conduct a [~~currency~~] **financial** transaction with the purpose  
34 to conceal or disguise in whole or in part the nature, location, source, ownership or control of the  
35 proceeds of criminal activity; or

36           (3) Conducts or attempts to conduct a [~~currency~~] **financial** transaction with the purpose  
37 to avoid [~~currency~~] **financial** transaction reporting requirements under federal law; or

38           (4) Conducts or attempts to conduct a [~~currency~~] **financial** transaction with the purpose  
39 to promote or aid the carrying on of criminal activity for the purpose of furthering or making a  
40 terrorist threat or act.

41           3. The offense of money laundering is a class B felony and in addition to penalties  
42 otherwise provided by law, a fine of not more than five hundred thousand dollars or twice the  
43 amount involved in the transaction, whichever is greater, may be assessed.

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