

HOUSE BILL NO. 2221

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE VESCOVO.

4996H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapters 556 and 570, RSMo, by adding thereto two new sections relating to criminal offenses, with penalty provisions and an emergency clause.

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

Section A. Chapters 556 and 570, RSMo, are amended by adding thereto two new sections, to be known as sections 556.065 and 570.027, to read as follows:

556.065. 1. The provisions of this section shall apply to any city not within a county.

2. (1) The attorney general shall have concurrent jurisdiction with any circuit attorney to prosecute under this section.

(2) Upon receiving a referral from a law enforcement agency alleging a violation of sections 565.020, 565.021, or 570.027, the attorney general may commence prosecution of any violations of said sections within sixty days by filing a complaint, information, or indictment. Once the attorney general commences prosecution pursuant to this section, he or she may prosecute any additional violations that were part of the same course of conduct as the violation of sections 565.020, 565.021, or 570.027.

(3) If the circuit attorney has commenced prosecution by filing a complaint, information, or indictment, the attorney general may adopt or amend the complaint, information, or indictment and the circuit attorney shall immediately withdraw from the prosecution.

570.027. 1. A person commits the offense of vehicle hijacking when he or she knowingly uses or threatens the use of physical force upon another person to seize or

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.

3 **attempt to seize possession or control of a vehicle, as defined in section 302.010, from the**
4 **immediate possession or control of another person.**

5 **2. The offense of vehicle hijacking is a class B felony unless it meets one of the**
6 **criteria listed in subsection 3 of this section.**

7 **3. The offense of vehicle hijacking is a class A felony if, in the course thereof, a**
8 **person or another participant in the offense:**

9 **(1) Causes serious physical injury to any person in immediate possession, control,**
10 **or presence of the vehicle;**

11 **(2) Is armed with a deadly weapon;**

12 **(3) Uses or threatens the immediate use of a dangerous instrument against any**
13 **person;**

14 **(4) Displays or threatens the use of what appears to be a deadly weapon or**
15 **dangerous instrument; or**

16 **(5) Seizes a vehicle, or attempts to seize a vehicle, in which a child or special victim**
17 **as defined in section 565.002 is present.**

Section B. Because of the need to protect the citizens of the state of Missouri from
2 violent crime, section A of this act is deemed necessary for the immediate preservation of the
3 public health, welfare, peace and safety, and is hereby declared to be an emergency act within
4 the meaning of the constitution, and section A of this act shall be in full force and effect upon
5 its passage and approval.

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