

FIRST REGULAR SESSION  
[PERFECTED]  
HOUSE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 676**  
**101ST GENERAL ASSEMBLY**

1331H.02P

DANA RADEMAN MILLER, Chief Clerk

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**AN ACT**

To repeal section 565.003, RSMo, and to enact in lieu thereof one new section relating to the necessary mental state for a homicide offense.

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

Section A. Section 565.003, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 565.003, to read as follows:

565.003. 1. **(1)** The culpable mental state necessary for a homicide offense may be found to exist if the only difference between what actually occurred and what was the object of the offender's state of mind is that a different person or persons were killed.

**(2) It is no defense to a homicide charge that the identity of the person the offender intended to kill cannot be established. If the state proves beyond a reasonable doubt that the offender had the requisite mental state toward a specific person or a general class of persons who are not identified or who are not identifiable, such intent shall be transferred to a person who is killed by the offender while such mental state existed.**

2. The length of time which transpires between conduct which results in a death and is the basis of a homicide offense and the event of such death is no defense to any charge of homicide.

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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.