

SENATE BILL NO. 1467

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCHROER.

5857S.01I

KRISTINA MARTIN, Secretary

AN ACT

To amend chapters 569 and 570, RSMo, by adding thereto two new sections relating to offenses involving retail establishments, with penalty provisions.

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

Section A. Chapters 569 and 570, RSMo, are amended by
2 adding thereto two new sections, to be known as sections 569.158
3 and 570.036, to read as follows:

**569.158. 1. A person commits the offense of trespass
2 of a retail establishment or other public place if he or
3 she, while alone or with any other person or persons, enters
4 a retail establishment or similar public place or assists a
5 person who enters a retail establishment or similar public
6 place with the primary purpose of:**

7 (1) Engaging in tumultuous or violent conduct causing
8 damage to property;

9 (2) Disrupting lawful commerce in such retail
10 establishment or similar public place; or

11 (3) Creating the danger of serious bodily injury to
12 persons.

13 2. The offense of trespass of a retail establishment
14 or other public place is a class B misdemeanor unless
15 committed as part of an organized campaign; then the
16 organized campaign shall pay a fine not to exceed five
17 thousand dollars.

570.036. 1. A person commits the offense of organized retail theft if he or she, while alone or with any other person or persons, commits a series of thefts of retail merchandise against one or more persons either on the premises of a merchant or through the use of an internet or network site in this state with the intent to:

(1) Return the merchandise to the merchant for value; or

(2) Resell, trade, or barter the merchandise for value in any manner including, but not limited to, through the use of an internet or network site.

2. The offense of organized retail theft is a class C felony if the aggregated value of the property or services involved in all thefts committed in this state during a period of one hundred twenty days is no less than one thousand five hundred dollars and no more than ten thousand dollars.

3. The offense of organized retail theft is a class B felony if the aggregated value of the property or services involved in all thefts committed in this state during a period of one hundred twenty days is more than ten thousand dollars.

4. In addition to any other penalty, the court shall order a person who violates this section to pay restitution.

5. For the purposes of this section, in determining the aggregated value of the property or services involved in all thefts committed in this state during a period of one hundred twenty days:

(1) The amount involved in a single theft shall be deemed to be the highest value, by any reasonable standard, of the property or services that are obtained; and

32 (2) The amounts involved in all thefts committed by
33 all participants in the organized retail theft shall be
34 aggregated.

35 6. In any prosecution for a violation of this section,
36 the violation shall be deemed to have been committed and may
37 be prosecuted in any jurisdiction in this state in which any
38 theft committed by any participant in the organized retail
39 theft was committed regardless of whether the defendant was
40 ever physically present in such jurisdiction.

✓