

SECOND REGULAR SESSION

SENATE BILL NO. 889

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR KOENIG.

Read 1st time January 15, 2020, and ordered printed.

ADRIANE D. CROUSE, Secretary.

4920S.02I

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
2 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
2 not within a county.**

**3 2. (1) The attorney general shall have concurrent jurisdiction
4 with any circuit attorney to prosecute under this section.**

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

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

**570.027. 1. A person commits the offense of vehicle hijacking
2 when he or she knowingly uses or threatens the use of physical force
3 upon another person to seize or attempt to seize possession or control
4 of a vehicle, as defined in section 302.010, from the immediate
5 possession or control of another person.**

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

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

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

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

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

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

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

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

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