

SECOND REGULAR SESSION

# HOUSE BILL NO. 1437

## 98TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE MIMS.

4775H.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To amend chapter 576, RSMo, by adding thereto one new section relating to intimidating a public figure, with penalty provisions and an emergency clause.

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

Section A. Chapter 576, RSMo, is amended by adding thereto one new section, to be  
2 known as section 576.090, to read as follows:

**576.090. 1. This section shall be known and may be cited as the "Political  
2 Intimidation Prevention Act".**

3 **2. As used in this section, the following terms mean:**

4 **(1) "Intimidating conduct", any verbal, physical, or written conduct that threatens,  
5 coerces, harasses, or attempts to threaten, coerce, or harass a public figure;**

6 **(2) "Public figure", any elected official of this state or any political subdivision  
7 thereof, or any candidate for any elected office of this state or any political subdivision  
8 thereof.**

9 **3. A person commits the offense of intimidating a public figure if the person  
10 intentionally engages in or attempts to engage in intimidating conduct in such a manner  
11 that such intimidating conduct or attempt creates a hostile environment during the course  
12 of such public figure's performance of duties related to the public figure's elected office or  
13 during the course of such public figure's campaign for elected office, and the existence of  
14 the hostile environment adversely affects the public figure's performance of duties related  
15 to such public office or causes the public figure to resign from the office to which the public  
16 figure has been elected or to cease campaigning for such office.**

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           **4. (1) The offense of intimidating a public figure is a class A misdemeanor, unless**  
18 **the offense causes physical harm to the public figure, in which case it is a class D felony**  
19 **until December 31, 2016, and a class E felony beginning January 1, 2017.**

20           **(2) In addition to any penalty provided in subdivision (1) of this subsection, if any**  
21 **elected official of the state or any political subdivision thereof commits the offense of**  
22 **intimidating a public figure, such elected official shall immediately forfeit such office.**

23           **5. This section shall not apply to verbal, physical, or written conduct engaged in by**  
24 **any person in the course of reporting or investigating any misdemeanor or felony**  
25 **committed by a public figure.**

          Section B. Because immediate action is necessary to prevent intimidation of elected  
2 officials and candidates for public office, this act is deemed necessary for the immediate  
3 preservation of the public health, welfare, peace, and safety, and is hereby declared to be an  
4 emergency act within the meaning of the constitution, and this act shall be in full force and effect  
5 upon its passage and approval.

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