

SECOND REGULAR SESSION

HOUSE BILL NO. 1762

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MILLER.

5248H.01

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 569.140 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session and section 569.140 as enacted by senate bill no. 60, seventy-ninth general assembly, first regular session, and to enact in lieu thereof one new section relating to trespassing, with penalty provisions.

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

Section A. Section 569.140 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session and section 569.140 as enacted by senate bill no. 60, seventy-ninth general assembly, first regular session, are repealed and one new section enacted in lieu thereof, to be known as section 569.140, to read as follows:

569.140. 1. A person commits the offense of trespass in the first degree if he or she knowingly enters unlawfully or knowingly remains unlawfully in a building or inhabitable structure or upon real property **or upon a temporary or permanent privately owned structure attached thereto.**

2. A person does not commit the offense of trespass in the first degree by entering or remaining upon [real] property **described in subsection 1 of this section** unless the [real] property is fenced or otherwise enclosed in a manner designed to exclude intruders or as to which notice against trespass is given by:

(1) Actual communication to the actor; or

(2) Posting in a manner reasonably likely to come to the attention of intruders.

3. The offense of trespass in the first degree is a class B misdemeanor.

569.140. 1. A person commits the crime of trespass in the first degree if he knowingly enters unlawfully or knowingly remains unlawfully in a building or inhabitable structure or upon

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 real property **or upon a temporary or permanent privately owned structure attached**
4 **thereto.**

5 2. A person does not commit the crime of trespass in the first degree by entering or
6 remaining upon [real] property **described in subsection 1 of this section** unless the [real]
7 property is fenced or otherwise enclosed in a manner designed to exclude intruders or as to which
8 notice against trespass is given by:

9 (1) Actual communication to the actor; or

10 (2) Posting in a manner reasonably likely to come to the attention of intruders.

11 3. Trespass in the first degree is a class B misdemeanor.

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