

SECOND REGULAR SESSION

# SENATE BILL NO. 914

98TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR BROWN.

Read 1st time January 13, 2016, and ordered printed.

ADRIANE D. CROUSE, Secretary.

5405S.011

## AN ACT

To repeal section 569.140 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, RSMo, and to enact in lieu thereof one new section relating to the offense of trespass in the first degree, with an existing penalty provision.

*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A. Section 569.140 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 569.140, to read as follows: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 to the building, structure, or property.**

2. A person does not commit the offense of trespass in the first degree by entering or remaining upon real property **or attached structures as described under subsection 1 of this section** unless the real property **or attached structure** 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.

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**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**