

SECOND REGULAR SESSION

HOUSE BILL NO. 1720

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MAYER.

Read 1st time April 6, 2004 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

5011L.011

AN ACT

To amend chapter 569, RSMo, by adding thereto one new section relating to aggravated trespass in a movie theater, with penalty provisions.

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

Section A. Chapter 569, RSMo, is amended by adding thereto one new section, to be
2 known as section 569.157, to read as follows:

**569.157. 1. A person commits the crime of aggravated trespass in a movie theater
2 if such person knowingly operates an audiovisual recording function of a video camera,
3 camcorder, or any other device capable of recording or transmitting images by means of
4 any technology now known or later developed, within a movie theater where a motion
5 picture is being exhibited, without the consent of the theater owner.**

6 **2. As used in this section the following terms shall mean:**

7 **(1) "Audiovisual recording function", means the capability of a device to record
8 or transmit a motion picture or any part thereof by means of any technology now known
9 or later developed;**

10 **(2) "Motion picture", an audiovisual work consisting of a series of related images
11 which, when shown in succession, impart an impression of motion, together with
12 accompanying sounds, if any;**

13 **(3) "Movie theater", a premises used for the exhibition of motion pictures to the
14 general public;**

15 **(4) "Theater owner", an owner or operator and the agent, employee, consignee,
16 lessee, or officer of an owner or operator of any movie theater.**

17 **3. Aggravated trespass in a movie theater for a first offense is a class A
18 misdemeanor. A second or subsequent offense is a class D felony.**

19 **4. Any theater owner who alerts law enforcement authorities of an alleged**
20 **aggravated trespass in a movie theater shall not be liable in any civil action arising out of**
21 **measures taken by such theater owner in the course of detaining a person that the owner**
22 **in good faith believed to be committing aggravated trespass in a movie theater while**
23 **awaiting the arrival of law enforcement authorities, unless the plaintiff can show by clear**
24 **and convincing evidence that such measures were manifestly unreasonable or the period**
25 **of detention was unreasonably long.**