

HOUSE BILL NO. 499

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES PRATT (Sponsor), BROWN (30) AND PHILLIPS (Co-sponsors).

Read 1st time February 9, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

1125L.011

AN ACT

To amend chapter 570, RSMo, by adding thereto one new section relating to stealing leased property, with a penalty provision.

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

Section A. Chapter 570, RSMo, is amended by adding thereto one new section, to be
2 known as section 570.035, to read as follows:

570.035. 1. As used in this section the following terms shall mean:

2 (1) **"Leased property", includes any personal property that is leased or rented;**

3 (2) **"Lease", a written instrument in which one or more persons leases or rents
4 personal property from another person or persons;**

5 (3) **"Lessee", the person who is leasing or renting personal property from another;**

6 (4) **"Leases", the act of leasing or renting personal property to or from another;**

7 (5) **"Lessor", the person who is leasing or renting personal property to another.**

8 **2. A person commits the crime of stealing leased property if such person leases
9 personal property under a written instrument and:**

10 (1) **With the intent to place the property beyond the control of the lessor conceals
11 or aids or abets the concealment of the property or any part thereof; or**

12 (2) **Sells, conveys, or encumbers the property or any part thereof without the
13 written consent of the lessor, without informing the person to whom the lessee sells,
14 conveys, or encumbers that the same is subject to such lease and with the intent to deprive
15 the lessor of possession thereof; or**

16 (3) **Does not return the property to the lessor at the end of the lease term, plus any**

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 **agreed upon extensions, with intent to wrongfully deprive the lessor of possession of the**
18 **property; or**

19 **(4) Returns the property to the lessor at the end of the lease term, plus any agreed**
20 **upon extensions, but does not pay the lease charges agreed upon in the written instrument,**
21 **with the intent to wrongfully deprive the lessor of the agreed upon charges.**

22

23 **For the purpose of subdivisions (3) and (4) of subsection 2 of this section, the value of the**
24 **property must be at least one hundred dollars.**

25 **3. Evidence that a lessee used a false, fictitious, or not current name, address, or**
26 **place of employment in obtaining the property or that a lessee fails or refuses to return the**
27 **property or pay the lease charges to the lessor within seven days after written demand for**
28 **the return has been sent by certified mail, return receipt requested, to the address the**
29 **person set forth in the lease agreement, or in the absence of the address, to the person's last**
30 **known place of residence, shall be evidence of intent to violate the provisions of this section.**

31 **4. Stealing leased property is a class A misdemeanor unless the value of the leased**
32 **property stolen exceeds one thousand dollars in which case it is a class D felony.**