

FIRST REGULAR SESSION

# HOUSE BILL NO. 113

## 94TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE THRELKELD.

Pre-filed December 12, 2006 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

0548L.01I

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### AN ACT

To repeal section 568.052, RSMo, and to enact in lieu thereof one new section relating to leaving a child unattended in a motor vehicle, with penalty provisions.

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

Section A. Section 568.052, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 568.052, to read as follows:

568.052. 1. As used in this section, the following terms mean:

- (1) "Collision", the act of a motor vehicle coming into contact with an object or a person;
- (2) "Injury", physical harm to the body of a person;
- (3) "Motor vehicle", any automobile, truck, truck-tractor, or any motor bus or motor-propelled vehicle not exclusively operated or driven on fixed rails or tracks;
- (4) "Unattended", not accompanied by an individual fourteen years of age or older.

2. A person commits the crime of leaving a child unattended in a motor vehicle in the first degree if such person knowingly leaves a child ten years of age or less unattended in a motor vehicle and such child fatally injures another person by causing a motor vehicle collision or by causing the motor vehicle to fatally injure a pedestrian. Such person shall be guilty of a class C felony.

3. A person commits the crime of leaving a child unattended in a motor vehicle in the second degree if such person knowingly leaves a child ten years of age or less unattended in a motor vehicle and such child injures another person by causing a motor vehicle collision or by

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.

15 causing the motor vehicle to injure a pedestrian. Such person shall be guilty of a class A  
16 misdemeanor.

17 **4. A person commits the crime of leaving a child unattended in a motor vehicle in**  
18 **the third degree if such person knowingly leaves a child ten years of age or less unattended**  
19 **in a motor vehicle under conditions that present a risk to the child's health or safety, or**  
20 **when the engine of the motor vehicle is running or the keys to the motor vehicle are**  
21 **anywhere in the passenger compartment of the vehicle. Such person shall be guilty of a**  
22 **class C misdemeanor.**

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