

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 397, Page 2, Section 578.421, Line 29, by
2 inserting immediately after said section and line the following:

3
4 "578.423. Any person who actively participates in any criminal street gang with knowledge
5 that its members engage in or have engaged in a pattern of criminal street gang activity, and who
6 willfully promotes, furthers, or assists in any felonious criminal conduct by gang members shall be
7 punished by imprisonment in the county jail for a period not to exceed one year, or by imprisonment
8 in a state correctional facility for one, two, or three years. For any person between the ages of
9 fourteen and seventeen who is alleged to have violated the provisions of sections 578.421 to
10 578.437 the ~~[prosecuting attorney or circuit attorney]~~ court may, upon its own motion, ~~[move for~~
11 ~~dismissal of]~~ dismiss a petition and transfer to a court of general jurisdiction. Notwithstanding
12 provisions in section 211.071 to the contrary, for any person under the age of fourteen who is
13 alleged to have violated the provisions of sections 578.421 to 578.437, such person shall not be
14 transferred to a court of general jurisdiction."; and

15
16 Further amend said bill by amending the title, enacting clause, and intersectional references
17 accordingly.

Action Taken _____ Date _____