

FIRST REGULAR SESSION

HOUSE BILL NO. 768

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE ROSS.

1547H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 574.085, RSMo, and to enact in lieu thereof one new section relating to the offense of institutional vandalism, with penalty provisions.

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

Section A. Section 574.085, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 574.085, to read as follows:

574.085. 1. A person commits the offense of institutional vandalism if he or she knowingly vandalizes, defaces, or otherwise damages:

(1) Any church, synagogue or other building, structure or place used for religious worship or other religious purpose;

(2) Any cemetery, mortuary, military monument or other facility used for the purpose of burial or memorializing the dead;

(3) Any school, educational facility, community center, hospital or medical clinic owned and operated by a religious or sectarian group;

(4) The grounds adjacent to, and owned or rented by, any institution, facility, building, structure or place described in subdivision (1), (2), or (3) of this subsection;

(5) Any personal property contained in any institution, facility, building, structure or place described in subdivision (1), (2), or (3) of this subsection; or

(6) Any motor vehicle which is owned, operated, leased or under contract by a school district or a private school for the transportation of school children.

2. The offense of institutional vandalism is a class A misdemeanor, unless the value of the property damage is seven hundred fifty dollars or more, in which case the offense is a class

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 E felony; or the value of the property damage is more than five thousand dollars, in which case
18 the offense is a class D felony.

19 3. In determining the amount of damage to property, for purposes of this section, damage
20 includes the cost of repair or, where necessary, replacement of the property that was damaged.

21 **4. If the offender damages any property described under subdivision (2) of**
22 **subsection 1 of this section, the offender shall pay monetary damages, in addition to any**
23 **other damages required, equal to five times the repair or replacement costs of the damaged**
24 **property.**

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