

HCS HB 1413 -- TRESPASS IN THE FIRST DEGREE

SPONSOR: Solon

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Judiciary by a vote of 11 to 5. Voted "Do Pass" by the Standing Committee on Rules- Administrative Oversight by a vote of 7 to 3.

The following is a summary of the House Committee Substitute for HB 1413.

A person commits the offense of trespass in the first degree if he or she knowingly or intentionally enters and refuses to leave the real property of another after having been prohibited from entering or asked to leave the real property by a law enforcement officer if the real property is vacant real property or a vacant structure. "Vacant real property" and "vacant structure" are defined in the bill.

A law enforcement officer will not be held liable for acts or omissions made in good faith under this bill.

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPONENTS: Supporters say that this will strengthen our trespass laws and will allow property owners to have squatters removed from their property immediately rather than having to go through the eviction process. Realtors are afraid to put out signs indicating a property is for sale because squatters often see the signs and decide to move in and strip the properties. Residents in historic neighborhoods are becoming increasingly alarmed because of the reduction in property value. Indiana and Washington have passed similar legislation. This legislation gives law enforcement "teeth" to be the complaining party.

Testifying for the bill were Representative Solon; William I McMurray, City of St. Joseph; St. Joseph Legislative Partnership; J. Bruce Woody, City of St. Joseph; South Kansas City Chamber of Commerce; Missouri Realtors; Brian Myers, City of St. Joseph; and Missouri Sheriffs Association; and Jeff Wilson, St. Joseph Missouri Police Department.

OPPONENTS: There was no opposition voiced to the committee.