

FIRST REGULAR SESSION

HOUSE BILL NO. 59

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SCHNELTING.

0592H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 565.050, 565.052, 565.054, and 565.056, RSMo, and to enact in lieu thereof eleven new sections relating to the protection of first responders, with penalty provisions.

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

Section A. Sections 565.050, 565.052, 565.054, and 565.056, RSMo, are repealed and
2 eleven new sections enacted in lieu thereof, to be known as sections 51.167, 52.318, 53.008,
3 54.269, 55.310, 59.665, 565.050, 565.052, 565.054, 565.056, and 578.710, to read as follows:

**51.167. 1. Electronic records retained by a county clerk in this state shall not
2 disclose the home address or any personal information of a law enforcement officer, or use
3 a data element that discloses the officer's address or information, if the officer notifies the
4 county clerk that he or she wants his or her home address and personal information
5 redacted from the electronic records. Upon receiving such notice, the county clerk shall
6 protect the confidentiality of the officer's address and information as required under this
7 section.**

**2. For purposes of this section, "personal information" shall have the same
8 meaning as defined in section 407.1500.**

**52.318. 1. Electronic records retained by a county collector in this state shall not
2 disclose the home address or any personal information of a law enforcement officer, or use
3 a data element that discloses the officer's address or information, if the officer notifies the
4 county collector that he or she wants his or her home address and personal information
5 redacted from the electronic records. Upon receiving such notice, the county collector shall
6 protect the confidentiality of the officer's address and information as required under this
7 section.**

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.

8 2. For purposes of this section, "personal information" shall have the same
9 meaning as defined in section 407.1500.

 53.008. 1. Electronic records retained by a county assessor in this state shall not
2 disclose the home address or any personal information of a law enforcement officer, or use
3 a data element that discloses the officer's address or information, if the officer notifies the
4 county assessor that he or she wants his or her home address and personal information
5 redacted from the electronic records. Upon receiving such notice, the county assessor shall
6 protect the confidentiality of the officer's address and information as required under this
7 section.

8 2. For purposes of this section, "personal information" shall have the same
9 meaning as defined in section 407.1500.

 54.269. 1. Electronic records retained by a county treasurer in this state shall not
2 disclose the home address or any personal information of a law enforcement officer, or use
3 a data element that discloses the officer's address or information, if the officer notifies the
4 county treasurer that he or she wants his or her home address and personal information
5 redacted from the electronic records. Upon receiving such notice, the county treasurer
6 shall protect the confidentiality of the officer's address and information as required under
7 this section.

8 2. For purposes of this section, "personal information" shall have the same
9 meaning as defined in section 407.1500.

 55.310. 1. Electronic records retained by a county auditor in this state shall not
2 disclose the home address or any personal information of a law enforcement officer, or use
3 a data element that discloses the officer's address or information, if the officer notifies the
4 county auditor that he or she wants his or her home address and personal information
5 redacted from the electronic records. Upon receiving such notice, the county auditor shall
6 protect the confidentiality of the officer's address and information as required under this
7 section.

8 2. For purposes of this section, "personal information" shall have the same
9 meaning as defined in section 407.1500.

 59.665. 1. Electronic records retained by a county recorder of deeds in this state
2 shall not disclose the home address or any personal information of a law enforcement
3 officer, or use a data element that discloses the officer's address or information, if the
4 officer notifies the county recorder of deeds that he or she wants his or her home address
5 and personal information redacted from the electronic records. Upon receiving such
6 notice, the county recorder of deeds shall protect the confidentiality of the officer's address
7 and information as required under this section.

8 **2. For purposes of this section, "personal information" shall have the same**
9 **meaning as defined in section 407.1500.**

10 565.050. 1. A person commits the offense of assault in the first degree if he or she
11 attempts to kill or knowingly causes or attempts to cause serious physical injury to another
12 person.

13 2. The offense of assault in the first degree is a class B felony unless in the course thereof
14 the person inflicts serious physical injury on the victim, or if the victim of such assault is a
15 special victim, as the term "special victim" is defined under section 565.002, in which case it is
16 a class A felony.

17 **3. In addition to the penalty imposed under subsection 2 of this section, any person**
18 **convicted of assault in the first degree when the victim is a law enforcement officer or**
19 **emergency personnel, as such terms are defined in paragraphs (a) and (b) of subdivision**
20 **(14) of section 565.002, shall be ineligible for waiting week credit or any benefits allowable**
21 **under chapter 288 for a period of eighteen consecutive months, beginning on the date of**
22 **the claimant's conviction.**

23 565.052. 1. A person commits the offense of assault in the second degree if he or she:

24 (1) Attempts to kill or knowingly causes or attempts to cause serious physical injury to
25 another person under the influence of sudden passion arising out of adequate cause; or

26 (2) Attempts to cause or knowingly causes physical injury to another person by means
27 of a deadly weapon or dangerous instrument; or

28 (3) Recklessly causes serious physical injury to another person; or

29 (4) Recklessly causes physical injury to another person by means of discharge of a
30 firearm.

31 2. The defendant shall have the burden of injecting the issue of influence of sudden
32 passion arising from adequate cause under subdivision (1) of subsection 1 of this section.

33 3. The offense of assault in the second degree is a class D felony, unless the victim of
34 such assault is a special victim, as the term "special victim" is defined under section 565.002,
35 in which case it is a class B felony.

36 **4. In addition to the penalty imposed under subsection 3 of this section, any person**
37 **convicted of assault in the second degree when the victim is a law enforcement officer or**
38 **emergency personnel, as such terms are defined in paragraphs (a) and (b) of subdivision**
39 **(14) of section 565.002, shall be ineligible for waiting week credit or any benefits allowable**
40 **under chapter 288 for a period of eighteen consecutive months, beginning on the date of**
41 **the claimant's conviction.**

42 565.054. 1. A person commits the offense of assault in the third degree if he or she
43 knowingly causes physical injury to another person.

3 2. The offense of assault in the third degree is a class E felony, unless the victim of such
4 assault is a special victim, as the term "special victim" is defined under section 565.002, in which
5 case it is a class D felony.

6 **3. In addition to the penalty imposed under subsection 2 of this section, any person**
7 **convicted of assault in the third degree when the victim is a law enforcement officer or**
8 **emergency personnel, as such terms are defined in paragraphs (a) and (b) of subdivision**
9 **(14) of section 565.002, shall be ineligible for waiting week credit or any benefits allowable**
10 **under chapter 288 for a period of eighteen consecutive months, beginning on the date of**
11 **the claimant's conviction.**

565.056. 1. A person commits the offense of assault in the fourth degree if:

2 (1) The person attempts to cause or recklessly causes physical injury, physical pain, or
3 illness to another person;

4 (2) With criminal negligence the person causes physical injury to another person by
5 means of a firearm;

6 (3) The person purposely places another person in apprehension of immediate physical
7 injury;

8 (4) The person recklessly engages in conduct which creates a substantial risk of death
9 or serious physical injury to another person;

10 (5) The person knowingly causes or attempts to cause physical contact with a person
11 with a disability, which a reasonable person, who does not have a disability, would consider
12 offensive or provocative; or

13 (6) The person knowingly causes physical contact with another person knowing the other
14 person will regard the contact as offensive or provocative.

15 2. Except as provided in subsection 3 of this section, assault in the fourth degree is a
16 class A misdemeanor.

17 3. Violation of the provisions of subdivision (3) or (6) of subsection 1 of this section is
18 a class C misdemeanor unless the victim is a special victim, as the term "special victim" is
19 defined under section 565.002, in which case a violation of such provisions is a class A
20 misdemeanor.

21 **4. In addition to the penalties imposed under subsections 2 and 3 of this section, any**
22 **person convicted of assault in the fourth degree when the victim is a law enforcement**
23 **officer or emergency personnel, as such terms are defined in paragraphs (a) and (b) of**
24 **subdivision (14) of section 565.002, shall be ineligible for waiting week credit or any**
25 **benefits allowable under chapter 288 for a period of eighteen consecutive months,**
26 **beginning on the date of the claimant's conviction.**

2 **578.710. 1. A person commits the offense of unlawful posting of personally**
3 **identifying information over the internet if he or she knowingly posts the name, home**
4 **address, Social Security number, telephone number, or other personal information of any**
5 **law enforcement officer on the internet intending to cause great bodily harm or death to**
6 **the law enforcement officer or threatening to cause great bodily harm or death to the law**
7 **enforcement officer.**

8 **2. For purposes of this section, "personal information" shall have the same**
9 **meaning as defined in section 407.1500.**

10 **3. The offense of unlawful posting of personally identifying information over the**
11 **internet is a class A misdemeanor.**

12 **4. In addition to the penalty imposed under subsection 3 of this section, any person**
13 **convicted under this section shall be ineligible for waiting week credit or any benefits**
14 **allowable under chapter 288 for a period of eighteen consecutive months, beginning on the**
15 **date of the claimant's conviction.**

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