

FIRST REGULAR SESSION

SENATE BILL NO. 183

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SATER.

Read 1st time January 22, 2013, and ordered printed.

TERRY L. SPIELER, Secretary.

0699S.02I

AN ACT

To amend chapter 576, RSMo, by adding thereto one new section relating to the offense of unlawful search, with a penalty provision.

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

Section A. Chapter 576, RSMo, is amended by adding thereto one new section, to be known as section 576.175, to read as follows:

576.175. 1. For the purposes of this section, the term "government officer" shall mean a person who is:

(1) An officer, employee, or agent of the federal or state government, or any political subdivision thereof;

(2) Acting under a contract with the federal or state government, or a political subdivision thereof, to provide security or law enforcement services; or

(3) Acting under color of federal, state, or local law.

2. A person commits the offense of unlawful search if such person is a government officer and, as part of a determination of whether to grant another person access to a publicly accessible venue or form of transportation, such person intentionally and without probable cause:

(1) Touches the anus, breast, buttocks, or sexual organ of the other person, including touching through clothing;

(2) Removes a child younger than eighteen years of age from the physical custody or control of a parent, guardian of the child, or a person standing in the stead of a parent or guardian of the child;

(3) Otherwise engages in conduct constituting an offense under subdivision (5) of subsection 1 of section 565.070; or

(4) Harasses, delays, coerces, threatens, intimidates, or

22 effectively denies or conditions access to the venue or form of
23 transportation because of the person's refusal to consent to any of the
24 actions described in this subsection.

25 3. The offense of unlawful search is a class A misdemeanor.

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