

SECOND REGULAR SESSION

SENATE BILL NO. 657

90TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR CHILDERS.

Pre-filed December 1, 1999, and 1,000 copies ordered printed.

3011S.011

TERRY L. SPIELER, Secretary.

AN ACT

To repeal section 252.230, RSMo Supp. 1999, relating to wildlife offenses, and to enact in lieu thereof one new section relating to the same subject, with penalty provisions.

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

Section A. Section 252.230, RSMo Supp. 1999, is repealed and one new section enacted in lieu thereof, to be known as section 252.230, to read as follows:

252.230. 1. Except as provided in subsection 2 of this section, any person **knowingly** violating any of the provisions of sections 252.010 to 252.240 wherein other specific punishment is not provided, and any person **knowingly** violating any of such rules and regulations relating to wildlife, shall be guilty of a class A misdemeanor.

2. Any person **knowingly** violating any rules and regulations relating to wildlife shall be guilty of a class B misdemeanor unless such rules and regulations pertain to the provisions of sections 252.010 to 252.043 or sections 252.050 to 252.241.

3. Any person violating any of the provisions of sections 252.010 to 252.241 where such violation was not knowingly committed shall be guilty of an infraction.

4. (1) After a period of not less than three years, an individual who has pleaded guilty or has been convicted of a misdemeanor for a first offense of violating any of the provisions of sections 252.010 to 252.240 may apply to the court in which he was sentenced for an order to expunge from all official records all records of his arrest, plea, trial and conviction.

(2) If the court determines, after such hearing, that such person has not been convicted of any violation of the provisions of sections 252.010 to 252.240 in the three years prior to the date of the application for expungement, and has had no prior expungement, the court shall enter an order of expungement.

(3) The court shall provide notification of such expungement to the department of conservation.

(4) The effect of such order shall be to restore such person to the status he occupied prior to such arrest, plea or conviction. No person as to whom such order has been entered shall be held thereafter under any provision of any law to be guilty of perjury or otherwise giving false statement by reason of his failure to recite or acknowledge such arrest, plea, trial, conviction or expungement in response to any inquiry made of him for any purpose whatsoever and no such inquiry shall be made for information relating to an expungement under this section.

(5) A person shall only be entitled to one expungement pursuant to this section for offenses relating to a single course of conduct when the offender has committed no prior violations pursuant to sections 252.010 to 252.241.

(6) Nothing contained in this section shall prevent the director of the department of conservation from maintaining such records as to ensure that an individual receives only one expungement pursuant to this section for the purpose of informing the proper authorities of the contents of any record maintained pursuant to this section.

✓
Bill

Copy