

SECOND REGULAR SESSION

SENATE BILL NO. 1031

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATORS KOSTER, CALLAHAN AND JUSTUS.

Read 1st time January 28, 2008, and ordered printed.

TERRY L. SPIELER, Secretary.

4150S.02I

AN ACT

To repeal section 565.153, RSMo, and to enact in lieu thereof one new section relating to parental kidnapping, with penalty provisions.

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

Section A. Section 565.153, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 565.153, to read as follows:

565.153. 1. In the absence of a court order determining rights of custody
2 or visitation to a child, a person having a right of custody of the child commits the
3 crime of parental kidnapping if he removes, takes, detains, conceals, or entices
4 away that child within or without the state, without good cause, and with the
5 intent to deprive the custody right of another person or a public agency also
6 having a custody right to that child.

7 2. Parental kidnapping is a class D felony, **unless committed by**
8 **detaining or concealing the whereabouts of the child for:**

9 (1) **Not less than sixty days but not longer than one hundred**
10 **nineteen days, in which case, the crime is a class C felony;**

11 (2) **Not less than one hundred twenty days, in which case, the**
12 **crime is a class B felony.**

13 3. A subsequently obtained court order for custody or visitation shall not
14 affect the application of this section.

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