

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 425
96TH GENERAL ASSEMBLY

Reported from the Committee on the Judiciary and Civil and Criminal Jurisprudence, April 14, 2011, with recommendation that the Senate Committee Substitute do pass.

1892S.03C

TERRY L. SPIELER, Secretary.

AN ACT

To repeal section 570.080, RSMo, and to enact in lieu thereof one new section relating to offenses in which the value of property or services is an element of the crime, with penalty provisions.

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

Section A. Section 570.080, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 570.080, to read as follows:

570.080. 1. A person commits the crime of receiving stolen property if for
2 the purpose of depriving the owner of a lawful interest therein, he or she receives,
3 retains or disposes of property of another knowing that it has been stolen, or
4 believing that it has been stolen.

5 2. Evidence of the following is admissible in any criminal prosecution
6 pursuant to this section to prove the requisite knowledge or belief of the alleged
7 receiver:

8 (1) That he or she was found in possession or control of other property
9 stolen on separate occasions from two or more persons;

10 (2) That he or she received other stolen property in another transaction
11 within the year preceding the transaction charged;

12 (3) That he or she acquired the stolen property for a consideration which
13 he or she knew was far below its reasonable value;

14 (4) That he or she obtained control over stolen property knowing the
15 property to have been stolen or under such circumstances as would reasonably
16 induce a person to believe the property was stolen.

17 3. [Receiving stolen property is a class A misdemeanor unless the

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

18 property involved has a value of five hundred dollars or more, or the person
19 receiving the property is a dealer in goods of the type in question, or the property
20 involved is an explosive weapon as that term is defined in section 571.010, in
21 which cases receiving stolen property is a class C felony] **Except as otherwise**
22 **provided in subsections 4 and 5 of this section, receiving stolen**
23 **property is a class A misdemeanor.**

24 **4. Receiving stolen property is a class C felony if:**

25 **(1) The value of the property or services appropriated is five**
26 **hundred dollars or more but less than twenty-five thousand dollars;**

27 **(2) The property has been physically taken from the person of**
28 **the victim; or**

29 **(3) The property appropriated includes:**

30 **(a) Any motor vehicle, watercraft, or aircraft;**

31 **(b) Any will or unrecorded deed affecting real property;**

32 **(c) Any credit card or letter of credit;**

33 **(d) Any firearm;**

34 **(e) Any explosive weapon as that term is defined in section**
35 **571.010;**

36 **(f) A United States national flag designed, intended, and used for**
37 **display on buildings or stationary flagstaffs in the open;**

38 **(g) Any original copy of an act, bill, or resolution, introduced or**
39 **acted upon by the legislature of the state of Missouri;**

40 **(h) Any pleading, notice, judgment, or any other record or entry**
41 **of any court of this state, any other state, or of the United States;**

42 **(i) Any book of registration or list of voters required by chapter**
43 **115;**

44 **(j) Any animal considered livestock as that term is defined in**
45 **section 144.010;**

46 **(k) Any live fish raised for commercial sale with a value of**
47 **seventy-five dollars or more;**

48 **(l) Any captive wildlife held under permit issued by the**
49 **conservation commission;**

50 **(m) Any controlled substance as that term is defined in section**
51 **195.010;**

52 **(n) Anhydrous ammonia;**

53 **(o) Ammonium nitrate; or**

54 **(p) Any document of historical significance which has a fair**

55 market value of five hundred dollars or more.

56 5. The receipt of any item of property or services pursuant to
57 subsection 4 of this section which exceeds five hundred dollars may be
58 considered a separate felony and may be charged in separate counts.

59 6. Any person who previously has been found guilty of, or pled
60 guilty to, receiving stolen property, when the property is of the kind
61 described under paragraph (j) or (l) of subdivision (3) of subsection 4
62 of this section and the value of the animal or animals received exceeds
63 three thousand dollars, is guilty of a class B felony. Such person shall
64 serve a minimum prison term of not less than eighty percent of his or
65 her sentence before being eligible for probation, parole, conditional
66 release, or other early release by the department of corrections.

67 7. Receiving stolen property is a class B felony if the value of the
68 property or services equals or exceeds twenty-five thousand dollars.

✓

Bill

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