

SECOND REGULAR SESSION

SENATE BILL NO. 601

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR LUETKEMEYER.

Pre-filed December 1, 2019, and ordered printed.

ADRIANE D. CROUSE, Secretary.

3127S.03I

AN ACT

To repeal section 571.015, RSMo, and to enact in lieu thereof one new section relating to criminal offenses, with penalty provisions.

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

Section A. Section 571.015, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 571.015, to read as follows:

571.015. 1. Except as provided in subsection 4 of this section, any person
2 who commits any felony under the laws of this state by, with, or through the use,
3 assistance, or aid of a dangerous instrument or deadly weapon is also guilty of
4 the crime of armed criminal action and, upon conviction, shall be punished by
5 imprisonment by the department of corrections and human resources for a term
6 of not less than [three] **five years and not to exceed fifteen years**. The
7 punishment imposed pursuant to this subsection shall be in addition to **and**
8 **consecutive with** any punishment provided by law for the crime committed by,
9 with, or through the use, assistance, or aid of a dangerous instrument or deadly
10 weapon. No person convicted under this subsection shall be eligible for parole,
11 probation, conditional release or suspended imposition or execution of sentence
12 for a period of [three] **five** calendar years **or eighty-five percent of the**
13 **sentence imposed, whichever is greater.**

14 2. Any person convicted of a second offense of armed criminal action
15 **arising from a separate occurrence from the first offense of armed**
16 **criminal action** shall be punished by imprisonment by the department of
17 corrections and human resources for a term of not less than [five] **ten years and**
18 **not to exceed thirty years**. The punishment imposed pursuant to this
19 subsection shall be in addition to **and consecutive with** any punishment

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

20 provided by law for the crime committed by, with, or through the use, assistance,
21 or aid of a dangerous instrument or deadly weapon. No person convicted under
22 this subsection shall be eligible for parole, probation, conditional release or
23 suspended imposition or execution of sentence for a period of [five] **ten** calendar
24 years **or eighty-five percent of the sentence imposed, whichever is**
25 **greater.**

26 3. Any person convicted of a third or subsequent offense of armed criminal
27 action **arising from a separate occurrence from the first or second**
28 **offense of armed criminal action** shall be punished by imprisonment by the
29 department of corrections and human resources for a term of not less than [ten]
30 **fifteen** years. The punishment imposed pursuant to this subsection shall be in
31 addition to **and consecutive with** any punishment provided by law for the
32 crime committed by, with, or through the use, assistance, or aid of a dangerous
33 instrument or deadly weapon. No person convicted under this subsection shall
34 be eligible for parole, probation, conditional release or suspended imposition or
35 execution of sentence for a period of [ten] **fifteen** calendar years **or eighty-five**
36 **percent of the sentence imposed, whichever is greater.**

37 [4. The provisions of this section shall not apply to the felonies defined
38 in sections 564.590, 564.610, 564.620, 564.630, and 564.640.]

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