

SENATE BILL NO. 878

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR BERNSKOETTER.

4088S.01I

ADRIANE D. CROUSE, Secretary

AN ACT

To repeal section 575.205, RSMo, and to enact in lieu thereof one new section relating to the offense of tampering with electronic monitoring equipment, with penalty provisions.

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

Section A. Section 575.205, RSMo, is repealed and one new
2 section enacted in lieu thereof, to be known as section 575.205,
3 to read as follows:

575.205. 1. A person commits the offense of tampering
2 with electronic monitoring equipment if he or she
3 intentionally removes, alters, tampers with, damages, [or]
4 destroys, **fails to charge, or otherwise disables** electronic
5 monitoring equipment which a court, the division of
6 probation and parole or the parole board has required such
7 person to wear.

8 2. This section does not apply to the owner of the
9 equipment or an agent of the owner who is performing
10 ordinary maintenance or repairs on the equipment.

11 3. The offense of tampering with electronic monitoring
12 equipment is a class D felony.

13 4. **The offense of tampering with electronic monitoring**
14 **equipment if a person fails to charge or otherwise disables**
15 **electronic monitoring equipment is a class E felony, unless**
16 **the offense for which the person was placed on electronic**
17 **monitoring was a misdemeanor, in which case it is a class A**
18 **misdemeanor.**

✓

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