

SENATE BILL NO. 1520

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR HOSKINS.

5997S.01H

KRISTINA MARTIN, Secretary

AN ACT

To amend chapter 577, RSMo, by adding thereto one new section relating to illegal immigrants, with penalty provisions.

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

Section A. Chapter 577, RSMo, is amended by adding thereto
2 one new section, to be known as section 577.690, to read as
3 follows:

577.690. 1. A person commits the offense of improper
2 entry by an alien if the person enters this state at any
3 time when the person is in violation of 8 U.S.C. Section
4 1325.

2. The offense of improper entry by an alien is
6 punishable by a fine of ten thousand dollars and shall be
7 subject to an order of removal, as provided pursuant to
8 subsection 3 of this section. For subsequent offenses, the
9 offense of improper entry by an alien is a class E felony
10 and shall be subject to an order of removal, as provided in
11 subsection 3 of this section, upon the completion of any
12 prison term.

3. (1) A written order of removal may be issued only
14 if:

(a) The person has not previously been found guilty of
16 the offense of improper entry by an alien; and

17 (b) The person is not charged with another offense
18 that is punishable as a class A misdemeanor or any higher
19 category of offense.

20 (2) An order of removal shall include all of the
21 following:

22 (a) The manner of transportation of the person to a
23 port of entry, as defined by 19 CFR Part 101; and

24 (b) The law enforcement officer or state agency
25 responsible for monitoring compliance with the order.

26 4. In lieu of continuing the prosecution of or
27 entering an adjudication regarding the offense of improper
28 entry, the court at any time after the person's appearance
29 may, upon request, dismiss the charge pending against the
30 person and issue an order of removal, as provided in
31 subsection 3 of this section.

32 5. Any law enforcement officer whose duty it is to
33 enforce criminal laws of this state may, upon probable cause
34 that a person has violated subsection 1 of this section,
35 arrest or detain such person in a manner consistent with
36 chapter 544.

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