

FIRST REGULAR SESSION

# SENATE BILL NO. 778

## 103RD GENERAL ASSEMBLY

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INTRODUCED BY SENATOR TRENT.

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KRISTINA MARTIN, Secretary

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### AN ACT

To repeal section 579.030, RSMo, and to enact in lieu thereof two new sections relating to drug-free homeless service zones, with penalty provisions.

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

Section A. Section 579.030, RSMo, is repealed and two new  
2 sections enacted in lieu thereof, to be known as sections  
3 579.016 and 579.030, to read as follows:

579.016. 1. A person commits the offense of  
2 possession of a controlled substance in a drug-free homeless  
3 service zone if he or she knowingly possesses a controlled  
4 substance, except as authorized by this chapter or chapter  
5 195, in a drug-free homeless service zone. The offense of  
6 possession of a controlled substance in a drug-free homeless  
7 service zone is a class A misdemeanor.

2. An operator who pleads or is found guilty of the  
9 offense described in subsection 1 of this section or  
10 subdivision (4) of subsection 1 of section 579.030 shall be  
11 ineligible to apply for homelessness assistance grants  
12 administered by the state for a period of three years.

3. Each operator of a facility-based service that  
14 primarily serve homeless individuals shall place and  
15 maintain permanently affixed signs located in a conspicuous  
16 manner clearly visible to the public at the main entrance of  
17 the facility that identifies the building and its  
18 accompanying grounds as a drug-free homeless service zone.

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

19 Such signs shall be written in both English and Spanish and  
20 in contrasting colors with block letters at least one inch  
21 in height.

22 4. As used in this section, the following terms mean:

23 (1) "Drug-free homeless service zone", the area within  
24 three hundred feet of the premises of a facility-based  
25 service;

26 (2) "Facility-based service", any:

27 (a) Emergency or temporary shelter, transitional  
28 housing provider, or permanent supportive housing entity  
29 that receives federal, state, or local funds for the purpose  
30 of providing shelter to homeless persons; or

31 (b) Any other facility-based service that receives  
32 federal, state, or local funds that primarily provides  
33 treatment, preventable care, or other services to homeless  
34 persons;

35 (3) "Operator", the sole proprietorship, organization,  
36 association, corporation, partnership, joint venture,  
37 limited partnership, limited liability partnership, limited  
38 liability company, or other entity or business association  
39 that is the direct recipient of government funds for the  
40 provision of facility-based services.

579.030. 1. A person commits the offense of  
2 distribution of a controlled substance in a protected  
3 location if he or she knowingly distributes, sells, or  
4 delivers any controlled substance, except thirty-five grams  
5 or less of marijuana or synthetic cannabinoid, to a person  
6 with knowledge that that distribution, delivery or sale is:

7 (1) In, on, or within two thousand feet of, the real  
8 property comprising a public or private elementary,  
9 vocational, or secondary school, or on any school bus; [or]

10                   (2) In, on, or within one thousand feet of, the real  
11 property comprising a public park, state park, county park,  
12 municipal park, or private park designed for public  
13 recreational purposes, as park is defined in section  
14 253.010; **[or]**

15                   (3) In or on the real property comprising public  
16 housing or other governmental assisted housing; **or**

17                   **(4) In or on a drug-free homeless service zone, as**  
18 **defined in section 579.016.**

19                   2. The offense of unlawful distribution of a  
20 controlled substance in a protected location is a class A  
21 felony.

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