

SENATE BILL NO. 778

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR TRENT.

3078S.01I

KRISTINA MARTIN, Secretary

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.

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Section A. Section 579.030, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 579.016 and 579.030, to read as follows:

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

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

3. Each operator of a facility-based service that primarily serve homeless individuals shall place and maintain permanently affixed signs located in a conspicuous manner clearly visible to the public at the main entrance of the facility that identifies the building and its 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.

✓