

SECOND REGULAR SESSION

# HOUSE BILL NO. 1377

100TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE WASHINGTON.

3804H.011

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To repeal section 565.056, RSMo, and to enact in lieu thereof two new sections relating to offenses committed by landlords against tenants, with penalty provisions.

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

Section A. Section 565.056, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 441.231 and 565.056, to read as follows:

**441.231. If a landlord evicts a tenant in violation of any statute or county or municipal ordinance, the landlord shall be guilty of a class E felony.**

565.056. 1. A person commits the offense of assault in the fourth degree if:

(1) The person attempts to cause or recklessly causes physical injury, physical pain, or illness to another person;

(2) With criminal negligence the person causes physical injury to another person by means of a firearm;

(3) The person purposely places another person in apprehension of immediate physical injury;

(4) The person recklessly engages in conduct which creates a substantial risk of death or serious physical injury to another person;

(5) The person knowingly causes or attempts to cause physical contact with a person with a disability, which a reasonable person, who does not have a disability, would consider offensive or provocative; or

(6) The person knowingly causes physical contact with another person knowing the other person will regard the contact as offensive or provocative.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

15           2. Except as provided in subsection 3 **or** 4 of this section, assault in the fourth degree  
16 is a class A misdemeanor.

17           3. Violation of the provisions of subdivision (3) or (6) of subsection 1 of this section is  
18 a class C misdemeanor unless the victim is a special victim, as the term "special victim" is  
19 defined under section 565.002, in which case a violation of such provisions is a class A  
20 misdemeanor.

21           **4. If the victim is a tenant in a landlord-tenant relationship, the offense of assault**  
22 **in the fourth degree is a class E felony; except that, if a weapon was used in the commission**  
23 **of the offense, it is a class C felony.**

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