

SENATE BILL NO. 72

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR GREGORY (15).

1003S.01I

KRISTINA MARTIN, Secretary

AN ACT

To amend chapter 577, RSMo, by adding thereto one new section relating to illegal aliens, 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 one new section, to be known as section 577.678, to read as follows:

577.678. 1. As used in this section, the following terms mean:

(1) "Certified bounty hunter", a person who:

(a) Possesses a valid unexpired license as a bail bond agent, general bail bond agent, or surety recovery agent under sections 374.695 to 374.789; and

(b) Is certified under this section to find and detain illegal aliens in this state;

(2) "Department", the department of public safety;

(3) "Illegal alien", a person who is not lawfully present in the United States as defined and described under 8 U.S.C. Section 1101 et seq., as amended;

(4) "Life imprisonment", imprisonment for the duration of a person's natural life;

(5) "Peace officer", as defined in section 590.010.

2. (1) A person commits the offense of trespass by an illegal alien if such person:

(a) Is an illegal alien;

(b) Knowingly enters this state and remains in this state; and

21 (c) Is physically present in this state at the time a
22 licensed bounty hunter or a peace officer apprehends such
23 person.

24 (2) (a) The offense of trespass by an illegal alien
25 under this section is a felony for which the authorized term
26 of imprisonment is life imprisonment without eligibility for
27 probation, parole, conditional release, or release except by
28 act of the governor or the natural death of such person.

29 (b) The provisions of this section shall not apply if
30 the federal government enters into a written agreement with
31 the department to take such person into custody and, within
32 twenty-four hours of such person being committed to the
33 custody of the federal government, deport such person.

34 3. A person who commits the offense of trespass by an
35 illegal alien shall be forever disqualified from:

36 (1) Registering and voting in any election under the
37 laws of this state;

38 (2) Securing any certificate or registration or
39 authority, permit, or license to drive under the laws of
40 this state;

41 (3) Applying for or receiving any state or local
42 public benefit offered by this state or a political
43 subdivision of this state; and

44 (4) Becoming a legal resident of this state.

45 4. Each person who is apprehended under this section
46 shall provide a DNA sample under the same procedures for
47 collecting a DNA sample described in sections 650.050 to
48 650.100.

49 5. Subject to appropriations:

50 (1) (a) The department shall develop and maintain an
51 information system that operates at all times and provides

52 various means to receive and maintain reports of violations
53 of subsection 2 of this section;

54 (b) The various means of receiving such reports shall
55 include, but not be limited to, a toll-free telephone
56 hotline, email address, and online reporting portal. The
57 department shall periodically publicize the hotline
58 telephone number, email address, internet website address,
59 and any other means by which the department may receive such
60 reports;

61 (c) A person who makes a report under this section may
62 choose to remain anonymous until the person affirmatively
63 consents to having the person's identity disclosed;

64 (d) The information system shall be staffed by off-
65 duty peace officers, retired peace officers, and any other
66 peace officer deemed qualified by the department to staff
67 the information system; and

68 (e) If an illegal alien is arrested and imprisoned
69 under this section as a result of a report to the
70 information system, the person who made the report shall be
71 eligible to receive a reward of one thousand dollars for
72 providing such report; and

73 (2) (a) The department shall develop and implement
74 the "Missouri Illegal Alien Certified Bounty Hunter
75 Program", which is hereby created to certify applicants to
76 the program as certified bounty hunters for purposes of
77 finding and detaining illegal aliens in this state under
78 this section;

79 (b) The program shall be administered by the
80 department under the following application and certification
81 procedures:

82 a. A person who possesses a valid unexpired license as
83 a bail bond agent, general bail bond agent, or surety

84 recovery agent under sections 374.695 to 374.789 may apply
85 to the department to be certified as a licensed bounty
86 hunter;

87 b. The department shall accept applications filed in
88 the manner established by rule and on a form prescribed by
89 the department. A completed application shall contain:

90 (i) The date the application was prepared;

91 (ii) The applicant's signature;

92 (iii) A copy of the person's valid unexpired license
93 as a bail bond agent, general bail bond agent, or surety
94 recovery agent under sections 374.695 to 374.789;

95 (iv) A mailing address where the applicant can be
96 contacted by the department for purposes of receiving first
97 class mail, legal documents, and certified mail;

98 (v) A telephone number or numbers where the applicant
99 can be called by the department; and

100 (vi) Other information deemed necessary by the
101 department; and

102 (c) Upon receipt of a completed application, the
103 department may certify the applicant as a licensed bounty
104 hunter. The term of certification shall be for four years
105 following the date of initial certification unless the
106 applicant withdraws the certification or the department
107 cancels the certification before such date. The department
108 shall notify each licensed bounty hunter of the
109 certification's expiration and provide a renewal form to
110 such licensed bounty hunter at least four weeks before such
111 expiration.

112 6. (1) There is hereby created in the state treasury
113 the "Missouri Illegal Alien Certified Bounty Hunter Program
114 Fund", which shall consist of moneys appropriated by the
115 general assembly. The state treasurer shall be custodian of

116 the fund. In accordance with sections 30.170 and 30.180,
117 the state treasurer may approve disbursements. The fund
118 shall be a dedicated fund and, upon appropriation, moneys in
119 this fund shall be used solely to provide moneys to the
120 department for the implementation and administration of this
121 section.

122 (2) Notwithstanding the provisions of section 33.080
123 to the contrary, any moneys remaining in the fund at the end
124 of the biennium shall not revert to the credit of the
125 general revenue fund.

126 (3) The state treasurer shall invest moneys in the
127 fund in the same manner as other funds are invested. Any
128 interest and moneys earned on such investments shall be
129 credited to the fund.

130 7. The Missouri attorney general and the prosecuting
131 attorney or circuit attorney of each county shall prosecute
132 charges filed under this section.

133 8. The department may promulgate all necessary rules
134 and regulations for the administration of this section. Any
135 rule or portion of a rule, as that term is defined in
136 section 536.010, that is created under the authority
137 delegated in this section shall become effective only if it
138 complies with and is subject to all of the provisions of
139 chapter 536 and, if applicable, section 536.028. This
140 section and chapter 536 are nonseverable and if any of the
141 powers vested with the general assembly pursuant to chapter
142 536 to review, to delay the effective date, or to disapprove
143 and annul a rule are subsequently held unconstitutional,
144 then the grant of rulemaking authority and any rule proposed
145 or adopted after August 28, 2025, shall be invalid and void.

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