

BILL NO. 20-003

ORDINANCE NO. 4821

FIRST READING 02.18.20 2020

SECOND READING 03.03.2020

AN ORDINANCE OF THE CITY OF HANNIBAL REVISING SECTION 16-235, ARTICLE VII, OFFENSES AGAINST GOVERNMENT TAMPERING WITH A WITNESS OR VICTIM OF THE REVISED CODE OF ORDINANCES OF THE CITY OF HANNIBAL

WHEREAS, the City Council has determined that Ordinance 16-235 is based upon Missouri Revised Statute 575.270,

WHEREAS, said statute was amended in 2014, and certain language contained therein has changed.

NOW THEREFORE, to ensure that their ordinance remains lawful and in compliance with State Law, the City Council makes the following amendment to Chapter 16 of the ordinances of the City of Hannibal:

SECTION ONE: Section 16-235, Article VII, OFFENSES AGAINST GOVERNMENT, is hereby amended as follows:

16-235. Tampering with a witness or victim

1. A person commits the offense of tampering with a witness or victim if:
 - a. With the purpose to induce a witness or a prospective witness to disobey a subpoena or other legal process, absent himself or herself, avoid subpoena or other legal process, withhold evidence, information, or documents, or testify falsely, he or she:
 1. Threatens or causes harm to any person or property; or
 2. Uses force, threats or deception; or
 3. Offers, confers or agrees to confer any benefit, direct or indirect, upon such witness; or
 4. Conveys any of the foregoing to another in furtherance of a conspiracy; or
2. He or she purposely prevents or dissuades or attempts to prevent or dissuade any person who has been a victim of any crime or a person who is acting on behalf of any such victim from:
 - a. Making any report of such victimization to any peace officer, state, local or federal law enforcement officer, prosecuting agency, or judge;

- b. Causing a complaint, indictment or information to be sought and prosecuted or assisting in the prosecution thereof;
- c. Arresting or causing or seeking the arrest of any person in connection with such victimization.

SECTION TWO: It hereby is declared to be the intention of the City Council that each and every part, portion and sub-portion of this Ordinance shall be separate and severable from each and every other part, portion or sub-portion hereof and that the City Council intends to adopt each said part, portion or sub-portion separately and independently of any other part, portion or sub-portion. In the event that any part of this Ordinance shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, portions and sub-portions shall be and remain in full force and effect.

SECTION THREE: All ordinances and parts of ordinances in conflict with this ordinance, in so far as they conflict, are hereby repealed.

SECTION FOUR: That this Ordinance shall be in full force and effect from and after its passage and approval.

Adopted this 3rd day of March, 2020.

Approved this 3rd day of March, 2020.



James R. Hark, Mayor

ATTEST:



Angelica N. Zerbonia, MRCC, CMO - City Clerk