

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1472
101ST GENERAL ASSEMBLY

3533H.02C

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 574.105, RSMo, and to enact in lieu thereof one new section relating to the offense of money laundering, with penalty provisions.

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

Section A. Section 574.105, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 574.105, to read as follows:

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

- (1) "Conducts", initiating, concluding or participating in initiating or concluding a transaction;
- (2) "Criminal activity", any act or activity constituting an offense punishable as a felony pursuant to the laws of Missouri or the United States;
- (3) [~~"Curreney", curreney and coin of the United States;~~]
- (4) ~~"Currency transaction", a transaction involving the physical transfer of currency from one person to another. A transaction which is a transfer of funds by means of bank check, bank draft, wire transfer or other written order, and which does not include the physical transfer of currency is not a curreney transaction]~~ **"Cryptocurrency", a digital currency in which transactions are verified and records are maintained by a decentralized system using cryptography;**
- (4) **"Financial transaction", a transaction:**
 - (a) **Involving:**
 - a. **The movement of funds by wire or other means, including blockchain;**
 - b. **One or more monetary instruments; or**
 - c. **The transfer of title to any real property, vehicle, vessel, or aircraft; or**

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.

18 **(b) Involving the use of a financial institution as defined under 31 U.S.C. Section**
19 **5312, as amended;**

20 **(5) "Monetary instruments":**

21 **(a) Currency and coin of the United States or of any other country,**
22 **cryptocurrency, travelers' checks, personal checks, bank checks, bank wires, or**
23 **money orders; or**

24 **(b) Investment securities or negotiable instruments, in bearer form or otherwise**
25 **in such form that title thereto passes upon delivery;**

26 ~~[(5)]~~ **(6) "Person", natural persons, partnerships, trusts, estates, associations,**
27 **corporations and all entities cognizable as legal personalities;**

28 **(7) "Transaction", a purchase, sale, loan, pledge, gift, transfer, delivery, or other**
29 **disposition, and with respect to a financial institution includes a deposit; withdrawal;**
30 **transfer between accounts; exchange of currency; loan; extension of credit; purchase or**
31 **sale of any stock, bond, certificate of deposit, or other monetary instrument; use of a**
32 **safe deposit box; or any other payment, transfer, or delivery by, through, or to a**
33 **financial institution, by whatever means effected.**

34 2. A person commits the offense of money laundering if he or she:

35 (1) Conducts or attempts to conduct a ~~[currency]~~ **financial** transaction with the
36 purpose to promote or aid the carrying on of criminal activity; or

37 (2) Conducts or attempts to conduct a ~~[currency]~~ **financial** transaction with the
38 purpose to conceal or disguise in whole or in part the nature, location, source, ownership or
39 control of the proceeds of criminal activity; or

40 (3) Conducts or attempts to conduct a ~~[currency]~~ **financial** transaction with the
41 purpose to avoid ~~[currency]~~ **financial** transaction reporting requirements under federal law; or

42 (4) Conducts or attempts to conduct a ~~[currency]~~ **financial** transaction with the
43 purpose to promote or aid the carrying on of criminal activity for the purpose of furthering or
44 making a terrorist threat or act.

45 3. The offense of money laundering is a class B felony and in addition to penalties
46 otherwise provided by law, a fine of not more than five hundred thousand dollars or twice the
47 amount involved in the transaction, whichever is greater, may be assessed.

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