§ 490.55 Criminal use of a chemical weapon or biological weapon in the first degree.

A person is guilty of criminal use of a chemical weapon or biological weapon in the first degree when:

1. with intent to:

(a) cause serious physical injury to, or the death of, another person; and

(b) (i) intimidate or coerce a civilian population;

(ii) influence the policy of a unit of government by intimidation or coercion; or

(iii) affect the conduct of a unit of government by murder, assassination, or kidnapping;

he or she uses, deploys, releases, or causes to be used, deployed, or released any select chemical agent and thereby causes serious physical injury to, or the death of, another person who is not a participant in the crime.

2. with intent to cause serious physical injury to, or the death of, more than two persons, he or she uses, deploys, releases, or causes to be used, deployed, or released any select chemical agent and thereby causes serious physical injury to, or the death of, more than two persons who are not participants in the crime; or

3. with intent to cause serious physical injury to, or the death of, another person, he or she uses, deploys, releases, or causes to be used, deployed, or released any select biological agent and thereby causes serious physical injury to, or the death of, another person who is not a participant in the crime.

Criminal use of a chemical weapon or biological weapon in the first degree is a class A-I felony.