

FIRST REGULAR SESSION

HOUSE BILL NO. 1324

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE WINDHAM.

2349H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 407, RSMo, by adding thereto one new section relating to the publishing of booking photographs.

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

Section A. Chapter 407, RSMo, is amended by adding thereto one new section, to be known as section 407.1154, to read as follows:

407.1154. 1. No person shall publish a booking photograph as defined under section 407.1150 for any commercial purpose. As used in this section, "commercial purpose" means a way of advancing a person's commercial or economic interest.

2. Any individual who suffers a loss or harm as a result of a violation of this section may be awarded an amount equal to five thousand dollars or actual and punitive damages, whichever is greater, and in addition may be awarded reasonable attorney's fees, court costs, and any other remedies provided by law. Humiliation or embarrassment shall be adequate to show that the individual has incurred damages; however, no physical manifestation of either humiliation or embarrassment is necessary for damages to be shown.

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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.