

SECOND REGULAR SESSION

HOUSE BILL NO. 1762

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SANDER.

3744H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 192, RSMo, by adding thereto one new section relating to COVID-19 health orders, with an emergency clause.

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

Section A. Chapter 192, RSMo, is amended by adding thereto one new section, to be known as section 192.257, to read as follows:

192.257. 1. For purposes of this section, the following terms mean:

(1) "COVID-19 health order", any order, ordinance, rule, or regulation made with the powers granted under the Constitution of the state of Missouri or any state law including, but not limited to, chapter 44 or section 192.020 or 192.300 that is intended to prevent or limit the spread of COVID-19;

(2) "Local public health agency", a county health center board established under chapter 205, a county health department, a combined city and county health department or agency, a multicounty health department or agency, or any other county health authority.

2. Notwithstanding the provisions of chapter 44 or any other provision of law, a local public health agency that imposed a fine or other monetary penalty against an individual or business after March 12, 2020, and before the effective date of this section, for a failure to comply with a COVID-19 health order shall return all moneys collected from the individual or business as a result of the fine or monetary penalty. The local public health agency shall return such moneys before November 1, 2022.

3. Notwithstanding the provisions of chapter 44 or any other provision of law, a local public health agency that imposes a fine or other monetary penalty against an

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 **individual or business on or after the effective date of this section for a failure to comply**
19 **with a COVID-19 health order shall return all moneys collected from the individual or**
20 **business as a result of the fine or monetary penalty. The local public health agency shall**
21 **return such moneys within sixty days of the collection of the moneys.**

22 **4. The provisions of this section shall not apply to any fine or monetary penalty**
23 **that is not directly related to a failure to comply with a COVID-19 health order.**

Section B. Because immediate action is necessary to reverse the negative impact fines
2 and monetary penalties have had on individuals and businesses throughout the state during
3 the COVID-19 pandemic, the enactment of section 192.257 of section A of this act is deemed
4 necessary for the immediate preservation of the public health, welfare, peace, and safety, and
5 is hereby declared to be an emergency act within the meaning of the constitution, and the
6 enactment of section 192.257 of section A of this act shall be in full force and effect upon its
7 passage and approval.

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