

FIRST EXTRAORDINARY SESSION OF THE  
SECOND REGULAR SESSION

# HOUSE BILL NO. 30

## 100TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE ROBERTS (77).

5843H.011

DANA RADEMAN MILLER, Chief Clerk

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### AN ACT

To amend chapter 506, RSMo, by adding thereto one new section relating to civil actions against peace officers, with an emergency clause.

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

Section A. Chapter 506, RSMo, is amended by adding thereto one new section, to be  
2 known as section 506.450, to read as follows:

**506.450. 1. (1) A plaintiff who prevails in a lawsuit against a peace officer, as  
2 defined under section 590.010, who is charged with violating the plaintiff's constitutional  
3 rights shall be entitled to reasonable attorney's fees.**

**4 (2) When a judgment is entered in favor of a defendant, the defendant shall be  
5 entitled to reasonable attorney's fees for defending claims the court finds frivolous.**

**6 2. Notwithstanding any provision of law, because a person has a constitutional right  
7 under the bill of rights of both the United States and Missouri Constitutions, qualified  
8 immunity shall not be a defense to liability under this section.**

Section B. Because immediate action is necessary to fight violent crime in Missouri and  
2 to protect our citizens and residents from the actions of law enforcement officers that jeopardize  
3 the life and safety of our citizens and residents, section A of this act is deemed necessary for the  
4 immediate preservation of the public health, welfare, peace, and safety, and is hereby declared  
5 to be an emergency act within the meaning of the constitution, and section A of this act shall be  
6 in full force and effect upon its passage and approval.

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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.