

SECOND REGULAR SESSION

HOUSE BILL NO. 1152

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HOPPE.

Pre-filed December 6, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

3092L.011

AN ACT

To amend chapter 512, RSMo, by adding thereto one new section relating to the appeal bonds for signatories to the tobacco settlement agreement.

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

Section A. Chapter 512, RSMo, is amended by adding thereto one new section, to be
2 known as section 512.085, to read as follows:

3 **512.085. 1. Notwithstanding the provisions of Missouri supreme court rule 81.09**
4 **or section 512.080 to the contrary, in any civil litigation under any legal theory for which**
5 **a judgment is entered against a signatory or a successor to a signatory of the master**
6 **settlement agreement, as defined in subsection (e) of section 196.1000, RSMo, the appeal**
7 **bond that such signatory may be required to post to stay execution on a judgment during**
8 **the time that any appeal or discretionary review of such judgment is pending shall be set**
9 **in accordance with existing law and court rules; except that, in no event shall an appeal**
10 **bond exceed twenty-five million dollars regardless of the total value of the judgment.**

11 **2. If proven by a preponderance of the evidence that the appellant for whom the**
12 **bond is limited pursuant to this section is intentionally dissipating or diverting assets**
outside the ordinary course of business to avoid payment of the judgment, the court shall
enter all necessary orders to prevent the dissipation or diversion of assets.