

HB 374 -- Missouri False Claims Act

Sponsor: Barnes

This bill establishes the Missouri False Claims Act. In its main provisions, the act:

- (1) Specifies that any individual who makes certain specified false claims to the state will be liable to the state for three times the amount of damages the state sustains due to the individual's actions, the costs of a civil action brought to recover any of those penalties or damages, and a civil penalty of at least \$5,000 but not more than \$10,000 for each violation;
- (2) Allows the court to assess a penalty for the person's actions of at least two times the amount of damages the state sustains but no separate civil penalty if the court finds certain circumstances exist;
- (3) Requires the Attorney General to diligently investigate a false claim violation and allows him or her to bring a civil action against any person if a violation is found;
- (4) Allows an individual to bring a civil action on behalf of himself or herself and the state for a false claim violation;
- (5) Requires any civil action to be filed in camera, remain under seal for at least 60 days, and not be served on the defendant until the court orders the action to be served;
- (6) Specifies that a defendant is not required to respond to any civil action filed under seal until the action is unsealed and the defendant is served with notice of the action;
- (7) Specifies that if the state chooses not to proceed with the civil action, the individual who initiated the action has the right to conduct the action; and
- (8) Requires a civil action for a false claim violation to be brought within 10 years after the date on which the violation was committed.