

HOUSE BILL NO. 567

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE AUSTIN.

1312L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 537, RSMo, by adding thereto one new section relating to civil immunity for supervision of community service work.

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

Section A. Chapter 537, RSMo, is amended by adding thereto one new section, to be
2 known as section 537.602, to read as follows:

537.602. 1. As used in this section the following terms shall mean:

2 (1) "Community service work", any work which is performed without
3 compensation and is required in exchange for deferred prosecution of any criminal charge
4 by any federal, state, or local prosecutor under a written agreement;

5 (2) "Entity", includes any person, for profit or not-for-profit business, agency,
6 group, charity, organization, or any unit of federal, state or local government or any of
7 their employees.

8 2. Any entity which supervises community service work performed as a
9 requirement for deferment of any criminal charge under a written agreement with a
10 federal, state, or local prosecutor, or any entity which derives benefits from the
11 performance of community service work shall be immune from any suit by the person
12 performing the community service work or by any person deriving a cause of action from
13 the person performing the community service work if that cause of action arises from the
14 supervision of the work performed, except that the entity supervising the work shall not
15 be immune from any suit for gross negligence or for an intentional tort.

16 3. Community service work shall not be deemed employment within the meaning
17 of the provisions of chapter 288 and a person performing community service work under
18 the provisions of this section shall not be deemed an employee within the meaning of the
19 provisions of chapter 287.

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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.