

FIRST REGULAR SESSION

HOUSE BILL NO. 354

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE NEWMAN.

0031L.01I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 213, RSMo, by adding thereto one new section relating to discrimination against an individual based on reproductive health decisions.

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

Section A. Chapter 213, RSMo, is amended by adding thereto one new section, to be known as section 213.062, to read as follows:

213.062. 1. (1) This section shall be known and may be cited as the "Employee Reproductive Health Nondiscrimination Act".

(2) As used in this section, "employer" means a person who has one or more employees and includes an agent of that person.

2. An employer shall not do any of the following:

(1) Discriminate against an individual with respect to compensation, terms, conditions, or privileges of employment on the basis of the individual's or dependent of the individual's reproductive health decisions, or because of or on the basis of the employer's personal beliefs concerning reproductive health decisions or services;

(2) Inquire as to an employee's or applicant for employment's reproductive health decisions, including use of a particular drug or medical service;

(3) Retaliate against an employee because the employee has made a charge, filed a complaint, testified, assisted, or participated in an investigation, proceeding, or hearing concerning an alleged violation of this section.

3. (1) A person alleging a violation of this section may bring a civil action for injunctive relief or damages, or both.

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.

17 **(2) An action commenced under subdivision (1) of this subsection may be brought**
18 **in the court for the county where the alleged violation occurred or for the county where the**
19 **employer against whom the civil complaint is filed resides or has its principal place of**
20 **business.**

21 **(3) Nothing in the section shall be construed to limit or restrict any protections**
22 **against employment discrimination under any other law.**

23 **(4) As used in subdivision (1) of this section, "damages" means damages for injury**
24 **or loss caused by each violation of this section, including reasonable attorney fees.**

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