

***Corrected* HCS SCS SB 662 Judicial Proceedings**

Bill Number/ Amendment	Sections	Sponsor	Summary
SCS SB 662	537.115	Bernskoetter	This bill defines shelf stable packaged food as any food that can be safely stored in a sealed package at room temperature for a usefully long shelf life, including packaged venison that has been processed by heat or dried to destroy foodborne microorganisms. Protects a good faith donor or a charitable or not-for-profit organization from criminal or civil liability arising from an injury or death due to shelf stable packaged food, including venison, if such food was received in good faith. *This language was replaced in the HCS with similar language from HB 1711, see below.
HB 1711	537.115	Remole	This bill adds shelf stable packaged venison to the foods that a charitable or not-for-profit organization can distribute in good faith with limited liability arising from an injury or death due to the condition of the food.
HB 1331	550.125	Veit	This bill creates the "Change of Venue for Capital Cases Fund", which will consist of money appropriated by the General Assembly. Money in the fund is to be used solely for reimbursement to a county that receives a capital case from another county. At the conclusion of a capital case for which the venue was changed from one county to another, the county that received the case may apply to the Office of State Courts Administrator (OSCA) for reimbursement of any costs associated with sequestering jurors. If a county is eligible for reimbursement, OSCA shall disburse the money to the county. If OSCA determines that a county is not eligible for reimbursement, the county in which the capital case originated shall be responsible for reimbursement.
HB 1959	301.576	Ruth	This bill provides that a motor vehicle dealer and persons or entities affiliated with the dealer who, in conjunction with the actual or potential sale or lease of a motor vehicle, provides or makes available to the vehicle purchaser or lessee a third-party motor vehicle report as defined in the bill is exempt from liability to the purchaser or lessee for any errors, omissions, or inaccuracies contained in the report that are not based upon information provided directly to the preparer of the report by the dealer. The exemption from liability does not apply in the case of any dealer having actual knowledge about a vehicle's accident, salvage, or service history which is different from, or not disclosed on, any third-party motor vehicle report.
HB 2033	523.262	Hansen	The bill specifies that no entity has the power of eminent domain for the purposes of constructing above-ground merchant lines. This restriction will not apply to any rural electric cooperatives or any electrical corporation operating under a cooperative business plan.

HB 2049	435.415 & 537.065	Mary Elizabeth Coleman	<p>This bill provides that any arbitration award shall not be enforceable against insurers, as defined in the bill, unless the insurer has agreed in writing to the arbitration proceeding or agreement. Unless otherwise required by contract, an insurer's election to not participate in arbitration shall not constitute bad faith. These provisions shall not apply to any arbitration awards arising out of an arbitration agreement preceding the date of injury or loss. The bill specifies that a person having an unliquidated claim for damages against a tort-feasor may enter into an contract with the tort-feasor if the person's insurer has refused to withdraw a reservation of rights or declined coverage for such unliquidated claim. Specifies what happens if there is any action seeking a judgment on a claim against a tort-feasor at the time of the execution of any contract between the two parties, what happens if there is a pending action at the time of the execution of a contract but the action is subsequently dismissed, and what happens if there is no action seeking judgment on a claim at the time of the execution of any contract between the two parties. Any insurer who receives notice under this section will have the unconditional right to intervene in any pending civil action involving the claim for damages within 30 days after receipt of the notice and insurers intervening in a court proceeding where the defendant has contracted to limit his or her liability to specified assets shall have all the same rights as are afforded to defendants. These provisions shall not alter or reduce an intervening insurer's obligations to any insureds other than the tort-feasor, including any co-insureds. All terms of a covenant not to execute or any terms of any contract to limit recovery to specified assets must be in writing and signed by the parties to the covenant or contract. No unwritten terms of any covenant or contract under this section will be enforceable against any party to the covenant or contract or any other person or entity. In any action asserting bad faith by the insurer, any agreement between the tort-feasor and the insured will be admissible in evidence. The exercise of any rights under this section will not be construed to be bad faith.</p>
HB 2061	196.117	Christofanelli	<p>This bill establishes the "Kratom Consumer Protection Act", which requires dealers who prepare, distribute, sell, or expose for sale a food that is represented to be a kratom product to disclose on the product label the basis on which this representation is made. A dealer is prohibited from preparing, distributing, selling, or exposing for sale a kratom product that does not conform to these labeling requirements. A dealer may not prepare, distribute, sell or expose for sale a kratom product that is adulterated or contaminated with a dangerous non-kratom substance, contains a level of 7-hydroxymitragynine in the alkaloid fraction that is greater than 2% composition of the product, containing any synthetic alkaloids, or does not include on its package or label the amount of mitragynine, 7-hydroxymitragynine, or other synthetically derived compounds of the plant <i>Mitragyna speciosa</i>. A dealer may not distribute, sell or expose for sale a kratom product to anyone under 18 years of age. Specifies penalties for a violation of the labeling requirements and allows for a person who is aggrieved by a violation of the labeling requirements to bring a cause of action for damages resulting from the violation.</p>
HB 1819	89.080 & 485.060	Wood	<p>This bill authorizes the Board of Adjustment to keep records of all testimony, objections thereto, and rulings thereon taken by a certified court reporter, a certified electronic recorder with basic knowledge of court proceedings and terminology who may use any form of audiotape, videotape, or digital recording, or an officer of the court as provided by Supreme Court Rule 57. Currently, all such records must be taken down by a reporter employed by the board for that purpose, but who is not required to be certified. Beginning January 1, 2021, each court reporter for a circuit judge with a minimum of 6 years of service shall receive stepped raises based upon his or her years of service as specified in the bill</p>

<p>HB 2374</p>	<p>21.403, 21.405, 575.040, 575.050, 575.160, 575.270, 575.280, 575.330 & 576.030</p>	<p>Vescov</p>	<p>This bill specifies that, when a person is subpoenaed to testify or provide information at a proceeding before a body of the General Assembly, a court must issue, upon request from the President Pro Tem or the Speaker of the body that subpoenaed the person, an order requiring the person to testify or provide information if the person refuses to do so on the basis of the person's privilege against self-incrimination. Before issuing such an order, a court must find that the request for the order has been approved by a vote of a three-fifths majority of the members of the body requesting the order. If a witness refuses, on the basis of the privilege against self-incrimination, to testify or provide information and the person presiding over the proceeding informs the witness that an order requiring the testimony or production of information was issued, the witness must not refuse to comply with the order on the basis of the asserted privilege. However, no testimony or information compelled under the order may be used against the witness in any criminal proceeding other than perjury, giving a false statement, or otherwise failing to comply with the order. If a witness summoned by a body of the General Assembly willfully fails to appear, refuses to answer any pertinent questions, or fails to produce required documents, a statement of facts regarding such failure may be reported to and filed with the President Pro Tem of the Senate or the Speaker of the House. Either the President Pro Tem or the Speaker may certify the statement of facts to the prosecuting or other attorney having jurisdiction to prosecute. The Attorney General will have concurrent original jurisdiction to commence a criminal action throughout the state. Upon request by the President Pro Tem or the Speaker of the originating body, the court must, within 15 days of the request, appoint independent counsel, who will have jurisdiction to prosecute under Section 575.330, RSMo. If independent counsel is appointed, such independent counsel will have sole jurisdiction to prosecute under such section.</p>
<p>HB 1596</p>	<p>516.099</p>	<p>Trent</p>	<p>The bill also specifies that: (1) The offense of perjury is a class D felony if it is committed in any proceeding before a body of the General Assembly; (2) The offense of making a false affidavit is a class A misdemeanor when it is done in any proceeding before a body of the General Assembly; (3) The offense of tampering with a witness or victim is a class E felony when the witness is a witness in a proceeding before a body of the General Assembly; (4) The offense of acceding to corruption when the person is a witness or prospective witness in a proceeding before a body of the General Assembly is a class D felony; (5) A person commits the offense of obstructing government operations if he or she purposely obstructs, impairs, hinders, or perverts the performance of a governmental function by the use or threat of harm, intimidation, or coercion. The offense of obstructing government operations is a class A misdemeanor. However, if committed against a body of the General Assembly, it is a class E felony.</p> <p>This bill provides that a person who is injured by a defective or unsafe condition of a product due to negligence in the design, manufacture, sale, or distribution of a product has 15 years after the sale or lease of the product to bring a claim for damages. The time limitation shall not apply to actions relating to real property, actions where a person has knowingly concealed any defective or unsafe condition in a product, actions for indemnity or contribution by a defendant, when a product has a warranty that is greater than 15 years, actions regarding negligent service or maintenance of a product, for certain products that cause respiratory or malignant disease, or to any action against a manufacturer where the harm occurred during the uses safe life of the product. The provisions of this bill apply to all civil actions commenced on or after August 28, 2020, or any new causes of action asserted in civil actions pending on that date. However, any cause of action falling within the provisions of this bill that accrued on or before August 28, 2020, may, in any event, be brought no later than August 28, 2021, unless barred by another provision of law.</p>

HB 2236	565.002	Shawan	This bill adds any employee of a public school or charter school while in the performance of his or her duty for their district or school to the definition of special victims.
HB 2578	211.031, 211.061, 211.073, 211.181, 211.435, & Section B	Evans	This bill specifies that a juvenile court or family court will have exclusive original jurisdiction in proceedings involving a child who is alleged to have violated a state law or municipal ordinance on or after January 1, 2021, or any person who is alleged to have violated a state law or municipal ordinance on or after January 1, 2021, but prior to turning 18 years old. Provides that, when the juvenile court is informed that a child is in detention, the juvenile court must examine the reasons why and immediately order the child to be released or order the child to continue being detained until a detention hearing is held, unless the child is also being detained under general laws in criminal court. If an offender is alleged to have violated state law before January 1, 2021, or if the offender is alleged to have violated state law before January 1, 2021, and prior to turning 18 years old, and the prosecution results in a conviction or a guilty plea, the court must consider dual jurisdiction of both the criminal and juvenile codes. Additionally, no court order will require a child to remain in the custody of the Division of Youth Services for a period that exceeds the child's 19th birthday (currently 18th birthday) except upon petition filed by the division. Specifies that any funds remaining in the "Juvenile Justice Preservation Fund" at the end of the biennium will revert back to the juvenile office in the county of origination and will not reduce or offset any funds that are distributed to the juvenile office for the administration of any duty assigned to the juvenile department.
HCA 4 (3931H04.02H)	Removes 211.031, 211.061, 211.073, 211.181, 211.435, & Section B. Adds 211.438 & 211.439	Hicks	Removes HB 2578, extends effective date in 211.439 (raise the age) to 2022, and repeals 211.438 (raise the age won't be effective until "appropriation sufficient to fund the expanded services")
HCA 2 (3931H04.04H)	441.231, 160.082 & 213.012	Washington	Adds HB 1377 (but removes 565.056) and HB 2356: 1) Landlords who evict tenants in violation of state statute or county ordinance guilty of a class E felony; and 2) prohibits discrimination on the basis of hair texture and protective hairstyles in educational institutions that receive or benefit from state financial assistance or state student financial aid.
HCA 5 (3931H04.03H)	451.040	Hicks	Adds HB 2366: This bill allows the recorder of deeds to accept electronic applications for marriage licenses through an online process.
HCA 3 (3931H04.05H)	Amends 21.405	Hicks	Amends HB 2374 language. Instead of if "a witness is summoned" states "a person is subpoenaed as a witness" and removes "willfully" before fails to appear.
HCA 1 (3931H04.09H)	537.037	Houx	Any health care provider who renders care or assistance in connection with COVID-19 shall not be liable for any civil damages for any acts or omissions that occur during the state of emergency, other than damages caused by gross negligence or willfull or wanton acts or omissions. This amendment contains an emergency clause.