

FIRST REGULAR SESSION

# HOUSE BILL NO. 366

101ST GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE GREGORY.

1090H.011

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To amend chapter 192, RSMo, by adding thereto one new section relating to the special joint committee on government oversight.

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

Section A. Chapter 192, RSMo, is amended by adding thereto one new section, to be known as section 192.2800, to read as follows:

**192.2800. 1. There is hereby created the "Special Joint Committee on Government Oversight".**

**2. Notwithstanding any provision of law to the contrary, the committee shall hear complaints against county health officials that meet the requirements of subsection 4 of this section.**

**3. The committee shall be composed of the speaker of the house of representatives, the president pro tempore of the senate, six members of the house of representatives selected by the speaker, and six members of the senate selected by the president pro tempore. No more than four members from each chamber shall be from the same political party. The committee shall convene within thirty days after its creation to select a chair and vice chair. Thereafter, the committee shall meet only if it receives a petition under subsection 4 of this section.**

**4. Any resident of a county may file a complaint against an order made by a public health official of the county. A complaint shall contain the following:**

**(1) The name of the county and the public health official whose order is being challenged;**

**(2) The name or names of the individuals or entities filing the complaint;**

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.

18           **(3) A copy of the order being challenged and whether the order is being challenged**  
19 **in whole or in part;**

20           **(4) If the order is being challenged in part, the specific part or parts being**  
21 **challenged;**

22           **(5) A request for a hearing of the committee to determine whether the order shall**  
23 **stand; and**

24           **(6) A petition signed by fifteen percent of the registered voters of the county,**  
25 **determined by the county clerk, as of the most recent gubernatorial election.**

26           **5. A completed complaint shall be filed by submitting the complaint to the offices**  
27 **of the speaker of the house of representatives, the president pro tempore of the senate, the**  
28 **county clerk, and the public health official. The complaint shall be submitted in a manner**  
29 **that guarantees receipt, such as registered mail.**

30           **6. Upon receipt of the complaint, the county clerk shall have thirty days to confirm**  
31 **that all signatures on the petition are those of registered voters of the county. The county**  
32 **clerk shall notify the speaker of the house of representatives, the president pro tempore of**  
33 **the senate, the public health official, and the individuals or entities who filed the complaint**  
34 **if a sufficient number of signatures were verified. If there are fewer verified signatures**  
35 **than required under subdivision (6) of subsection 4 of this section, the complaint shall not**  
36 **proceed.**

37           **7. Within fourteen days of receiving the county clerk's confirmation that a**  
38 **sufficient number of signatures were verified, the speaker of the house of representatives**  
39 **and the president pro tempore of the senate shall set a date for a hearing that shall be**  
40 **within sixty days from the date of the original filing of the complaint. Immediate notice**  
41 **of the hearing date and time shall be provided to the individuals or entities filing the**  
42 **complaint and the public health official in a manner that guarantees receipt, such as**  
43 **registered mail.**

44           **8. The hearing shall allow both the individuals or entities filing the complaint and**  
45 **the public health official to speak on the complaint, as well as witnesses in favor of the**  
46 **complaint, in opposition to the complaint, and for informational purposes only. The chair**  
47 **of the committee may set reasonable limits on the number of witnesses or the time allowed**  
48 **for each witness, but the limits shall be equal for both sides of the complaint.**

49           **9. After the hearing, the committee shall vote to overturn the order, in whole or in**  
50 **part, or to uphold the order. A majority vote shall be required to overturn an order.**

51           **10. For the purposes of this section, the term "county" shall include a city not**  
52 **within a county.**

53           **11. The provisions of this section shall sunset on December 31, 2021.**

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