

SECOND REGULAR SESSION

# HOUSE BILL NO. 2213

## 101ST GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE HURLBERT.

4060H.011

DANA RADEMAN MILLER, Chief Clerk

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### AN ACT

To repeal section 167.117, RSMo, and to enact in lieu thereof one new section relating to reporting illegal acts, with a penalty provision.

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

Section A. Section 167.117, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 167.117, to read as follows:

167.117. 1. In any instance when any person is believed to have committed an act which if committed by an adult would be assault in the first, second ~~[or]~~, third, **or fourth** degree, sexual assault, or deviate sexual assault against a pupil or school employee, while on school property, including a school bus in service on behalf of the district, or while involved in school activities, the principal shall immediately report such incident to the appropriate local law enforcement agency and to the superintendent, except in any instance when any person is believed to have committed an act which if committed by an adult would be assault in the third **or fourth** degree and a written agreement as to the procedure for the reporting of such incidents of third **or fourth** degree assault has been executed between the superintendent of the school district and the appropriate local law enforcement agency, the principal shall report such incident to the appropriate local law enforcement agency in accordance with such agreement.

2. In any instance when a pupil is discovered to have on or about such pupil's person, or among such pupil's possessions, or placed elsewhere on the school premises, including but not limited to the school playground or the school parking lot, on a school bus or at a school activity whether on or off of school property any controlled substance as defined in section 195.010 or any weapon as defined in subsection 6 of section 160.261 in violation of school

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 policy, the principal shall immediately report such incident to the appropriate local law  
19 enforcement agency and to the superintendent.

20         3. In any instance when a teacher becomes aware of an assault as set forth in  
21 subsection 1 of this section or finds a pupil in possession of a weapon or controlled  
22 substances as set forth in subsection 2 of this section, the teacher shall immediately report  
23 such incident to the principal.

24         4. A school employee, superintendent or such person's designee who in good faith  
25 provides information to law enforcement or juvenile authorities pursuant to this section or  
26 section 160.261 shall not be civilly liable for providing such information.

27         5. Any school official responsible for reporting pursuant to this section or section  
28 160.261 who willfully neglects or refuses to perform this duty shall be subject to the penalty  
29 established pursuant to section 162.091.

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