

HB 1960 -- MASKING ORDERS

SPONSOR: Murphy

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Judiciary by a vote of 7 to 3. Voted "Do Pass" by the Standing Committee on Rules- Administrative Oversight by a vote of 7 to 4.

This bill defines "Masking order" as a public health order, ordinance, or rule requiring the wearing of masks, issued by the local governing body, local government entity or local government official in response to a public health threat. The bill sets forth the types of masks that satisfy the mask-wearing requirements. Other factors relating to the masking order such as posting of the order with instructions for proper fitting and disposal, duration of the order and renewals, and procedure for obtaining an exemption are included in the bill (Sections 67.265 and 67.267, RSMo).

Any local government entity or local governing body that issues a masking order assumes all liability for any medical condition that is caused by the mask-wearing required by the order regardless of the sovereign immunity provisions or any other provision of the law.

Any school district or charter school that requires its students to wear masks during school hours shall offer a remote learning option to any student that does not wish to comply with the order.

Any masking requirement issued by the Governor or state government official supercedes contrary masking requirement orders issued by a local government entity or body.

The masking order does not apply to the term "order" defined in Section 67.265.

This bill also defines certain terms and specifies that a masking order does not apply to any public area in a government building unless the order is issued by the Governor or state government officials under a state of emergency declaration (Section 191.245).

PROPOSERS: Supporters say that this bill does not go after what we have been through as far as COVID, but this is looking more into the future. Previous mandates, which are going away, were mostly inadequate. There is a difference in effectiveness between the various masks, and the cloth masks do nothing. We don't want to ban masks because if there is another pandemic or a similar situation where we do not want to set ourselves up for a situation where we cannot wear masks when we want them. So if we are going

to require them, they should be the effective kind and not the ones for show.

Testifying for the bill was Representative Murphy.

OPPONENTS: Those who oppose the bill submitted their testimony in writing, which can be found online.

Testifying against the bill were Arnie C. Ac Dienoff; Missouri State Medical Association; and Kevin Klinkenberg.

Written testimony has been submitted for this bill. The full written testimony can be found under Testimony on the bill page on the House website.