

FIRST REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 915

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES GRAHAM, RIBACK WILSON (25), PORTWOOD, HOSMER, LADD BAKER, SMITH, CARNAHAN, COLEMAN (Co-sponsors), WILLOUGHBY, BOUCHER AND VILLA.

Read 1st time March 1, 2001, and 1000 copies ordered printed.

Read 2nd time March 2, 2001, and referred to the Committee on Civil and Administrative Law, March 6, 2001.

Reported from the Committee on Civil and Administrative Law, March 15, 2001, with recommendation that the bill Do Pass.

Taken up for Perfection March 28, 2001. Bill ordered Perfected and printed, as amended.

TED WEDEL, Chief Clerk

2123L.01P

AN ACT

To amend chapter 537, RSMo, by adding thereto one new section relating to disability discrimination, with an emergency clause.

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

Section A. Chapter 537, RSMo, is amended by adding thereto one new section, to be known as section 537.617, to read as follows:

537.617. 1. The state of Missouri hereby grants limited consent to be sued under the Americans with Disabilities Act, 42 U.S.C. Section 12101, et seq., in the state courts of Missouri. The state of Missouri does not consent to be sued under the Americans with Disabilities Act in federal courts.

2. The consent granted in subsection 1 of this section is for a maximum monetary award in the amounts described in section 537.610. No state court shall enter a judgment for an amount in excess of the monetary limits in section 537.610. Such monetary limits shall apply regardless of whether the state has insurance for defense of the claim. The amount may include attorneys' fees, but shall not include punitive or exemplary damages.

3. The provisions of this section shall apply to all actions pending or initiated on or after the effective date of this section.

4. The provisions of this section shall, without limitation, apply to the Missouri State Capitol Building.

Section B. Because immediate action is necessary to maintain the rights of persons with
2 disabilities in Missouri section A of this act is deemed necessary for the immediate preservation
3 of the public health, welfare, peace and safety, and is hereby declared to be an emergency act
4 within the meaning of the constitution, and section A of this act shall be in full force and effect
5 upon its passage and approval.