

SECOND REGULAR SESSION

HOUSE BILL NO. 1355

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BYRD.

Read 1st time February 2, 2004, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

4034L.011

AN ACT

To amend chapter 510, RSMo, by adding thereto one new section relating to punitive damages in certain cases.

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

Section A. Chapter 510, RSMo, is amended by adding thereto one new section, to be known as section 510.265, to read as follows:

510.265. No award of punitive damages against any defendant shall exceed the greater of:

(1) Five hundred thousand dollars; or

(2) Five times the net amount of the judgment awarded to the plaintiff against the defendant.

Such limitations shall apply if the state of Missouri is the plaintiff requesting the award of punitive damages, or the defendant pleads guilty to or is convicted of a felony arising out of the acts or omissions pled by the plaintiff or if all of the elements of a felony are found by clear and convincing evidence by the civil court or jury in a bifurcated trial on behalf of the plaintiff and against the defendant.