

SECOND REGULAR SESSION

HOUSE BILL NO. 1638

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES BRUNS (Sponsor), BIVINS, SMITH (14), CORCORAN, ROORDA, PAGE, SATER, MEADOWS, WILDBERGER, MOORE, SCHAD AND PARKER (Co-sponsors).

Read 1st time February 2, 2006 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

4796L.01I

AN ACT

To amend chapter 537, RSMo, by adding thereto one new section relating to torts and action for damages.

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
2 known as section 537.135, to read as follows:

**537.135. 1. For the purposes of this section, "emergency personnel" means a
2 firefighter, peace officer, or emergency medical personnel.**

**3 2. In addition to any other right of action or recovery otherwise available under
4 law, any emergency personnel who suffers any injury, disease, or death while in the lawful
5 discharge of his or her official duties, caused directly by another's reckless, malicious, or
6 willful act or omission, may seek recovery and damages from such other person.**

**7 3. The provisions of this section shall not apply to the acts or omissions of such
8 emergency personnel's employer or co-employees, as provided for under Missouri workers'
9 compensation law, nor shall this section in any other way alter or amend Missouri workers'
10 compensation law.**

✓

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.