

FIRST REGULAR SESSION

HOUSE BILL NO. 1001

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES BRUNS (Sponsor) AND WILDBERGER (Co-sponsor).

Read 1st time February 27, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

2004L.011

AN ACT

To amend chapter 537, RSMo, by adding thereto one new section relating to civil damages for injury to or death of law enforcement officers and firefighters.

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 537.738, to read as follows:

**537.738. 1. In addition to any other right of action or recovery otherwise available
2 under the law, whenever any law enforcement officer or firefighter suffers any injury,
3 disease, or death while in the lawful discharge of his or her official duties and such injury,
4 disease, or death is directly or indirectly the result of the illegal or malicious conduct of or
5 the negligent operation of a motor vehicle by any person or entity other than such law
6 enforcement officer's or firefighter's employer or co-employee, the law enforcement officer
7 or firefighter suffering such injury or disease or, in the case of death, a representative of
8 the law enforcement officer's or firefighter's estate, may seek recovery and damages from
9 the person or entity whose negligent, illegal, or malicious conduct resulted in such injury,
10 disease, or death.**

**11 2. The provision of this section shall not apply to injury, disease, or death occurring
12 as a result of the condition of real estate, unless the condition causing the injury, disease,
13 or death is the result of an illegal or malicious act.**

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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.