

FIRST REGULAR SESSION

# HOUSE BILL NO. 999

## 94TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES DONNELLY (Sponsor), PAGE, LeVOTA, YAEGER,  
DARROUGH, BRINGER AND WITTE (Co-sponsors).

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

D. ADAM CRUMBLISS, Chief Clerk

2160L.011

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### AN ACT

To repeal section 577.029, RSMo, and to enact in lieu thereof one new section relating to chemical blood alcohol tests.

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

Section A. Section 577.029, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 577.029, to read as follows:

577.029. A licensed physician, registered nurse, or trained medical technician at the place of his **or her** employment, acting at the request and direction of the law enforcement officer, shall withdraw blood for the purpose of determining the alcohol content of the blood, unless such medical personnel, in his **or her** good faith medical judgment, believes such procedure would endanger the life or health of the person in custody. Blood may be withdrawn only by such medical personnel, but such restriction shall not apply to the taking of a breath test, a saliva specimen, or a urine specimen. In withdrawing blood for the purpose of determining the alcohol content thereof, only a previously unused and sterile needle and sterile vessel shall be utilized and the withdrawal shall otherwise be in strict accord with accepted medical practices. [A nonalcoholic antiseptic shall be used for cleansing the skin prior to venapuncture.] Upon the request of the person who is tested, full information concerning the test taken at the direction of the law enforcement officer shall be made available to him **or her**.

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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.