

FIRST REGULAR SESSION

HOUSE BILL NO. 538

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES DIXON (Sponsor) AND BURLISON (Co-sponsor).

1555L.01I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 545, RSMo, by adding thereto one new section relating to deferred prosecution agreements.

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

Section A. Chapter 545, RSMo, is amended by adding thereto one new section, to be known as section 545.1000, to read as follows:

545.1000. If the prosecution of a criminal charge or pursuit of a possible charge for alleged criminal acts is deferred by any federal, state, or local prosecutor in exchange for a written agreement to perform uncompensated work or community service, any county, city, person, organization, or agency, or any employee or agent of a county, city, person, organization, or agency supervising such uncompensated work or community service shall be immune from any suit by the person performing such uncompensated work or community service under a deferred prosecution agreement or any person deriving a cause of action from such person if any cause of action arises from the supervision of the performance of such uncompensated work or community service, except for an intentional tort or gross negligence. Persons performing such uncompensated work or community service under a deferred prosecution agreement shall not be deemed:

(1) To be engaged in the employment within the meaning of the provisions of chapter 288, RSMo; or

(2) An employee within the meaning of the provisions of chapter 287, RSMo.

✓

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.