

**HOUSE****AMENDMENT NO. \_\_\_\_\_****Offered by \_\_\_\_\_****of \_\_\_\_\_**

1 AMEND House Committee Substitute for House Bill No. 111, Page 27,  
 2 Section 516.140, Line 7, by inserting after all of said line the  
 3 following:

4 "537.528. 1. Any action [seeking money damages] against a  
 5 person for conduct or speech undertaken or made in connection  
 6 with a public hearing or public meeting, in a quasi-judicial  
 7 proceeding before a tribunal or decision-making body of the state  
 8 or any political subdivision of the state is subject to a special  
 9 motion to dismiss, motion for judgment on the pleadings, or  
 10 motion for summary judgment that shall be considered by the court  
 11 on a priority or expedited basis to ensure the early  
 12 consideration of the issues raised by the motion and to prevent  
 13 the unnecessary expense of litigation. Upon the filing of any  
 14 special motion described in this subsection, all discovery shall  
 15 be suspended pending a decision on the motion by the court and  
 16 the exhaustion of all appeals regarding the special motion.

17 2. If the rights afforded by this section are raised as an  
 18 affirmative defense and if a court grants a motion to dismiss, a  
 19 motion for judgment on the pleadings or a motion for summary  
 20 judgment filed within ninety days of the filing of the moving  
 21 party's answer, the court shall award reasonable attorney fees  
 22 and costs incurred by the moving party in defending the action.  
 23 If the court finds that a special motion to dismiss or motion for  
 24 summary judgment is frivolous or solely intended to cause  
 25 unnecessary delay, the court shall award costs and reasonable  
 26 attorney fees to the party prevailing on the motion.

27 3. Any party shall have the right to an expedited appeal  
 28 from a trial court order on the special motions described in  
 29 subsection 2 of this section or from a trial court's failure to

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Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1 rule on the motion on an expedited basis.

2 4. As used in this section, a "public meeting in a  
3 quasi-judicial proceeding" means and includes any meeting  
4 established and held by a state or local governmental entity,  
5 including without limitations meetings or presentations before  
6 state, county, city, town or village councils, planning  
7 commissions, review boards or commissions.

8 5. Nothing in this section limits or prohibits the exercise  
9 of a right or remedy of a party granted pursuant to another  
10 constitutional, statutory, common law or administrative  
11 provision, including civil actions for defamation.

12 6. If any provision of this section or the application of  
13 any provision of this section to a person or circumstance is held  
14 invalid, the invalidity shall not affect other provisions or  
15 applications of this section that can be given effect without the  
16 invalid provision or application, and to this end the provisions  
17 of this section are severable.

18 7. The provisions of this section shall apply to all causes  
19 of actions."; and

20 Further amend said title, enacting clause and intersectional  
21 references accordingly.