

HB 35 -- INTOXICATION RELATED PROCEEDINGS (Plocher)

COMMITTEE OF ORIGIN: Standing Committee on Judiciary

This bill requires admission of relevant chemical analysis of a person's breath in proceedings for any criminal offense, violations of county or municipal ordinances, or license suspension or revocation proceedings arising out of acts occurring between December 30, 2012 and April 4, 2014, relating to the operation of a vehicle, vessel, or aircraft while in an intoxicated condition so long as the evidence meets certain specified conditions. These provisions are a procedural rule and applicable to all proceedings in progress whether commenced before or after the enactment of the section.

This bill abrogates the holdings of *Stiers v. Dir. of Revenue*, 477 S.W.3d 611, (Mo. 2016) and *Stiers v. Dir. of Revenue*, ED 101407, 2015 WL 343310 (Mo.App. E.D. Jan. 27, 2015).

This bill contains an emergency clause.

This bill is similar to HB 2627 (2016).