

SECOND REGULAR SESSION

HOUSE BILL NO. 2342

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MORRIS (140).

5214H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 640, RSMo, by adding thereto one new section relating to fines or penalties issued by the department of natural resources.

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

Section A. Chapter 640, RSMo, is amended by adding thereto one new section, to be
2 known as section 640.095, to read as follows:

3 **640.095. In all instances where the department of natural resources has authority**
4 **to issue fines or penalties and determines that a fine or penalty should be levied, the**
5 **department shall provide in writing to the alleged violator, together with any claim or**
6 **demand for a fine or penalty, the factual basis for the violation and a copy of the rules or**
7 **statutory provisions upon which the department relies for alleging a violation has occurred**
8 **and determining the appropriate fine or penalty, along with a statement of facts specifying**
9 **each element of the violation and basis for the fine or penalty, including how the**
10 **department calculated the fine or penalty, with particularity. This information shall be**
11 **a complete record so that an alleged violator can understand the alleged violation, the**
12 **applicability of the rules or statutory provisions, appropriateness of the fine or penalty,**
and the accuracy of the calculation so that the alleged violator can respond properly to the
department.

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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.