

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No.
2 91, Page 39, Section 494.455, Line 45, by inserting after all of said line the following:

3
4 "510.500. Sections 510.500 to 510.521 shall be known and may be cited as the "Uniform
5 Interstate Depositions and Discovery Act".

6 510.503. As used in sections 510.500 to 510.521, the following terms mean:

7 (1) "Foreign jurisdiction", a state other than this state;

8 (2) "Foreign subpoena", a subpoena issued under authority of a court of record of a foreign
9 jurisdiction;

10 (3) "Person", an individual, corporation, business trust, estate, trust, partnership, limited
11 liability company, association, joint venture, public corporation, government or political
12 subdivision, agency or instrumentality, or any other legal or commercial entity;

13 (4) "State", a state of the United States, the District of Columbia, Puerto Rico, the United
14 States Virgin Islands, a federally recognized Indian tribe, or any territory or insular
15 possession subject to the jurisdiction of the United States;

16 (5) "Subpoena", a document, however denominated, issued under authority of a court of
17 record requiring a person to:

18 (a) Attend and give testimony at a deposition;

19 (b) Produce and permit inspection and copying of designated books, documents, records,
20 electronically stored information, or tangible items in the possession, custody, or control of the
21 person; or

22 (c) Permit inspection of premises under the control of the person.

23 510.506. 1. To request issuance of a subpoena under this section, a party shall submit a
24 foreign subpoena to a clerk of court in the county in which discovery is sought to be conducted in
25 this state. A request for the issuance of a subpoena under sections 510.500 to 510.521 shall not
26 constitute an appearance in the courts of this state.

27 2. If a party submits a foreign subpoena to a clerk of court in this state, the clerk, in
28 accordance with such court's procedure, shall promptly issue a subpoena for service upon the
29 person to which the foreign subpoena is directed.

30 3. A subpoena under subsection 2 of this section shall:

31 (1) Incorporate the terms used in the foreign subpoena; and

32 (2) Contain or be accompanied by the names, addresses, and telephone numbers of all
33 counsel of record in the proceeding to which the subpoena relates and of any party not represented
34 by counsel.

35 510.509. A subpoena issued by a clerk of court under section 510.506 shall be served in
36 compliance with the Missouri supreme court rules of civil procedure and laws of this state.

Action Taken _____ Date _____

1 510.512. The Missouri supreme court rules of civil procedure and laws of this state, and any
2 amendments thereto, apply to subpoenas issued under section 510.506.

3 510.515. An application to the court for a protective order or to enforce, quash, or modify a
4 subpoena issued by a clerk of court under section 510.506 shall comply with the Missouri supreme
5 court rules of civil procedure and statutes of this state and be submitted to the court in the county in
6 which discovery is to be conducted.

7 510.518. In applying and construing sections 510.500 to 510.521, consideration shall be
8 given to the need to promote
9 uniformity of the law with respect to its subject matter among states that enact it.

10 510.521. Sections 510.500 to 510.521 apply to requests for discovery in cases pending on
11 August 28, 2021."; and

12
13 Further amend said bill by amending the title, enacting clause, and intersectional references
14 accordingly.