House _____ **Amendment NO.**____

Offered By

_____   _____

1   AMEND House Committee Substitute for House Bill Nos. 85 & 310, Page 4, Section 1.460, Lines 1-6, by
2   deleting all of said lines and inserting in lieu thereof the following:
3
4   "1.460. 1. Any political subdivision or law enforcement agency that employs a law enforcement
5   officer who acts knowingly, as defined under section 562.016, to violate the provisions of section 1.450 or
6   otherwise knowingly deprives a citizen of Missouri of the rights or privileges ensured by Amendment II of
7   the Constitution of the United States or Article I, Section 23 of the Constitution of Missouri while acting
8   under the color of any state or federal law shall be liable to the injured party in an action at law, suit in equity,
9   or other proper proceeding for redress.”; and
10
11   Further amend said bill and page, Section 1.470, Lines 1-3, by deleting all of said lines and inserting in lieu
12   thereof the following:
13
14   "1.470. 1. Any political subdivision or law enforcement agency that employs an individual acting as
15   an official, agent, employee, or deputy of the government of the United States, or otherwise acting under the
16   color of federal law within the borders of this state, who knowingly, as defined under section 562.016:”; and
17
18   Further amend said bill and section, Pages 4-5, Lines 9-31, by deleting all of said lines and inserting in lieu
19   thereof the following:
20
21   “shall be subject to a civil penalty of no less than fifty thousand dollars per occurrence.
22   2. Any person residing or conducting business in a jurisdiction who believes that an individual has
23   taken action that would violate the provisions of this section shall have standing to pursue an action for
24   declaratory judgment in the circuit court of the county in which the action allegedly occurred or in the circuit
25   court of Cole County with respect to the actions of such individual.
26   3. If a court determines that an individual has taken any action in violation of the provisions of this
27   section, the political subdivision or law enforcement agency that employs such individual shall be required to
28   pay the court costs and attorney’s fees associated with the declaratory judgment action that resulted in the
29   civil penalty.”; and
30
31   Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Action Taken_____ Date _____