

House _____ Amendment NO. _____

Offered By _____

1 AMEND Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill Nos. 51 & 42, Page 1,
2 Section A, Line 3, by inserting after all of said line the following:

3
4 "1.550. 1. This section shall be known and may be cited as the "Seventh Amendment Preservation
5 Act".

6 2. The general assembly finds and declares that the seventh amendment of the Constitution of the
7 United States is the core to the foundation of this nation and that the ability to seek redress for wrongdoing is
8 necessary in a civil society.

9 3. To preserve the constitutional rights of Missouri citizens and residents so that they may receive
10 their day in court, the following protections shall apply:

11 (1) The provisions of the Constitution of the United States and the Constitution of Missouri occupy
12 and preempt legislation involving civil litigation and laws, rules, orders, or other actions that restrict a
13 resident's day in court as it existed in 1822 and expanded by the thirteenth amendment, fourteenth
14 amendment, and fifteenth amendment of the Constitution of the United States on a civil matter exceeding the
15 powers granted to state government, except to the extent that the laws, rules, orders, or other actions are
16 necessary and proper for governing courts and procedures therein;

17 (2) All federal and state acts, laws, executive orders, administrative orders, rules, and regulations,
18 whether past, present, or future, that infringe on a citizen's or resident's right to his or her day in court as
19 guaranteed by the seventh amendment to the Constitution of the United States, and expanded by the thirteenth
20 amendment, fourteenth amendment, and fifteenth amendment of the Constitution of the United States and by
21 Article I, Section 22(a) of the Constitution of Missouri, shall be invalid in this state;

22 (3) It shall be the duty of government to protect the rights of Missouri citizens and residents so that
23 citizens and residents may receive a trial by jury in all civil matters in accordance with the seventh
24 amendment of the Constitution of the United States and Article I, Section 22(a) of the Constitution of
25 Missouri;

26 (4) Any entity or person who knowingly acts under the color of any federal or state law to deprive a
27 Missouri citizen or resident of the rights or privileges ensured by the federal and state constitutions to a civil
28 trial shall be liable to the injured party for the deprivation of their rights. Reasonable attorney's fees and costs
29 may be awarded to the prevailing party with specified exceptions;

30 (5) Notwithstanding any other provision of law, there shall be no legislative restrictions to settlement
31 amounts, jury awards for damages of any kind, access to courts, joinder, jurisdiction, or venue. Any such
32 provision under Missouri law that currently exists shall be null and void."; and
33

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

Action Taken _____ Date _____