

HCS HB 900 -- STRATEGIC LAWSUITS

SPONSOR: Lovasco

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Special Committee on Litigation Reform by a vote of 6 to 1. Voted "Do Pass" by the Standing Committee on Rules- Legislative Oversight by a vote of 10 to 0.

The following is a summary of the House Committee Substitute for HB 900.

This bill relates to strategic lawsuits against public participation (SLAPP). The bill specifies that all laws in Missouri must be construed to afford qualified immunity from suit and liability for any defendant or counter-defendant in any action that impacts the defendant's or counter-defendant's First Amendment rights, and the bill provides procedures for defending against such suits. If a person successfully defends against a SLAPP lawsuit, the person may bring a SLAPP-back claim to recover any damages, costs, and fees the trial court failed to grant. Such damages, fees, and costs include statutory damages of at least \$10,000, compensatory damages, additional damages to the plaintiff in an amount calculated to deter the SLAPP plaintiff from bringing future SLAPP lawsuits, and attorneys' fees and costs.

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPONENTS: Supporters say that SLAPP suits only want to shut citizens up and stop them from using their first amendment rights. The bill will protect citizens from these suits. The bill will place the burden on the plaintiff to overcome citizens' immunity from these suits in order to proceed. The bill will allow for journalists to do their jobs efficiently with these protections. The bill also provides measures for reimbursement of legal fees for successful defenses of SLAPP suits.

Testifying for the bill were Representative Lovasco; Arnie Dienoff; Joseph E. Martineau; Marc Randazza; Mark Gordon, Missouri Broadcasters Association; Patrick Groshong; Curtis Varns, News-Press & Gazette Of Missouri/Kmiz-Tv.

OPPONENTS: There was no opposition voiced to the committee.

OTHERS: Others testifying on the submitted written testimony.

Testifying on the bill was Jean Maneke, Missouri Press Association.

Written testimony has been submitted for this bill. The full written testimony can be found under Testimony on the bill page on the House website.