

FIRST REGULAR SESSION

# HOUSE BILL NO. 84

102ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE VEIT.

0098H.011

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To amend chapter 510, RSMo, by adding thereto eight new sections relating to the uniform interstate depositions and discovery act.

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

Section A. Chapter 510, RSMo, is amended by adding thereto eight new sections, to  
2 be known as sections 510.500, 510.503, 510.506, 510.509, 510.512, 510.515, 510.518, and  
3 510.521, to read as follows:

**510.500. Sections 510.500 to 510.521 shall be known and may be cited as the**  
2 **"Uniform Interstate Depositions and Discovery Act".**

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

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

3 (2) **"Foreign subpoena", a subpoena issued under authority of a court of record**  
4 **of a foreign jurisdiction;**

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

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

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

14 (a) **Attend and give testimony at a deposition;**

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.

15           **(b) Produce and permit inspection and copying of designated books, documents,**  
16 **records, electronically stored information, or tangible items in the possession, custody,**  
17 **or control of the person; or**

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

**510.506. 1. To request issuance of a subpoena under this section, a party shall**  
2 **submit a foreign subpoena to a clerk of court in the county in which discovery is sought**  
3 **to be conducted in this state. A request for the issuance of a subpoena under sections**  
4 **510.500 to 510.521 shall not constitute an appearance in the courts of this state.**

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

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

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

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

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

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

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

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

**510.521. Sections 510.500 to 510.521 apply to requests for discovery in cases**  
2 **pending on August 28, 2023.**

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