

HB 2578 -- CIVIL ACTIONS

SPONSOR: Van Schoiack

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on General Laws by a vote of 16 to 0. Voted "Do Pass" by the Standing Committee on Rules- Legislative Oversight by a vote of 6 to 0 with 2 voting Present.

This bill creates "Jaxx's Law". The bill prohibits a business located in the State or conducting business in the State or a state agency of Missouri from considering an "unborn child", as defined in the bill, as an employee in a civil action, including those arising from acts or omissions that may include a wrongful death.

This bill is the same as HB 2484 (2024).

PROPONENTS: Supporters say that they hope this legislation helps families avoid similar legal battles to what Jaxx's family has gone through. This legislation seeks to protect the unborn from being considered an employee in a civil action. It is unrealistic to consider an unborn child an employee. Unborn children do not file taxes, collect a paycheck, or work a shift. A death caused by the negligence of an employee's employer should result in the employer being held accountable. Instead, MODOT has avoided paying out a wrongful death claim based on the legal theory that Jaxx was an employee and therefore, his mother Caitlin's family is not entitled to a claim. Considering Jaxx as an employee implies that he is of legal age to work in the State of Missouri. It's obvious that this was not the case since he was a fetus at the time of his death. Children under the age of 14 are unable to be employed at any job at any time except for a few exceptions, none of which include MODOT. This legislation ensures that employers are held accountable for their negligent actions.

Testifying in person for the bill were Representative Van Schoiack; Tabatha Moore; Kaylin Moore; Olga Mister, TJ's Story; Christine Kent; Brigit Brooks; David Jarvis; Tonya Musskopf; Andrew Mundwiller; Michael Brown; Jennifer Protz; Denise Beckmann, Angel Moms Over St. Louis Mo; Tisha Lam; and Valerie Lee.

OPPONENTS: There was no opposition voiced to the committee.

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