

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By \_\_\_\_\_

1 AMEND House Committee Substitute for House Bill No. 83, Page 2, Section A, Line 20, by  
2 inserting after all of said section and line the following:

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

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

9 3. To preserve the constitutional rights of Missouri citizens and residents so that they may  
10 receive 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  
12 occupy and preempt legislation involving civil litigation and laws, rules, orders, or other actions that  
13 restrict a resident's day in court as it existed in 1822 and expanded by the Thirteenth Amendment,  
14 Fourteenth Amendment, and Fifteenth Amendment of the Constitution of the United States on a  
15 civil matter exceeding the powers granted to state government, except to the extent that the laws,  
16 rules, orders, or other actions are necessary and proper for governing courts and procedures therein;

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

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

27 (4) Any entity or person who knowingly acts under the color of any federal or state law to  
28 deprive a Missouri citizen or resident of the rights or privileges ensured by the federal and state  
29 constitutions to a civil trial shall be liable to the injured party for the deprivation of their rights.

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1 Reasonable attorney's fees and costs may be awarded to the prevailing party with specified  
2 exceptions;

3 (5) Notwithstanding any other provision of law, there shall be no legislative restrictions to  
4 settlement amounts, jury awards for damages of any kind, access to courts, joinder, jurisdiction, or  
5 venue. Any such provision under Missouri law that currently exists shall be null and void."; and  
6

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