

SECOND REGULAR SESSION

# HOUSE BILL NO. 2913

## 103RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE IRWIN.

6539H.01I

JOSEPH ENGLER, Chief Clerk

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### AN ACT

To amend chapter 160, RSMo, by adding thereto one new section relating to immunity for intervening in certain incidents of violence.

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

Section A. Chapter 160, RSMo, is amended by adding thereto one new section, to be known as section 160.1075, to read as follows:

**160.1075. 1. A teacher, as defined in section 163.011, while fulfilling duties or performing services on behalf of a school district or charter school, may intervene in an incident involving violence in order to safeguard himself or herself or a student.**

**2. A teacher shall be held harmless and immune from any liability for actions described under subsection 1 of this section if:**

**(1) In the course of intervening in such incident, the teacher follows any procedures adopted by the school district or charter school, if any; or**

**(2) The teacher intervenes in good faith and in a manner that the teacher reasonably believes is afforded the defense of justification under chapter 563.**

**3. A school district or charter school shall be held harmless and immune from any liability for the actions described under subsection 1 of this section by a teacher fulfilling duties or performing services for the school district or charter school so long as the teacher complies with the provisions of this section.**

**4. Nothing in this section shall be construed to protect a teacher from suit or liability for any damage, loss, injury, or liability caused by willful and wanton misconduct or gross negligence of the teacher.**

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.

17           **5. No school district or charter school shall implement policies that prevent a**  
18 **teacher from protecting himself or herself or a student.**

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