

SECOND REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NOS. 2913 & 3228

103RD GENERAL ASSEMBLY

6539H.02P

JOSEPH ENGLER, Chief Clerk

AN ACT

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

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
2 known as section 160.1075, to read as follows:

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

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

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

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

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

**14 4. Nothing in this section shall be construed to protect a teacher from suit or
15 liability for any damage, loss, injury, or liability caused by willful and wanton
16 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.**

✓