

# HOUSE BILL NO. 3228

## 103RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE STEINHOFF.

7115H.011

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  
2 known as section 160.1075, to read as follows:

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

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

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

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

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

16 **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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