

HB 3144 -- INJUNCTIONS

SPONSOR: Schulte

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Judiciary by a vote of 8 to 4.

This bill authorizes the Attorney General to appeal a preliminary injunction in any action in which the state is preliminarily enjoined from implementing, enforcing, or effectuating any provision of the Missouri Constitution, any statute, or any regulation.

PROPOSERS: Supporters say that this allows the Attorney General to appeal a preliminary injunction for any case to which the State is a party. The Attorney General attempted to appeal a case, according to one example provided, but they found out they could not because it was not in Cole County. This would allow the Attorney General to appeal no matter where in the State a case is filed. If a state statute were appealed in Federal court, the right to interlocutory appeals would exist. The litigation for Amendment 3 is pending and it's past the preliminary injunction stage, so this is meant to apply to future litigation. The State has an interest in protecting the welfare of its citizens.

Testifying in person for the bill were Representative Schulte; Campaign Life Missouri; Peter Donohue, Missouri Attorney General's Office; and Arnie Dienoff.

OPPOSERS: 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.