



MISSOURI HOUSE OF REPRESENTATIVES  
**WITNESS APPEARANCE FORM**

BILL NUMBER: <b>HB 1808</b>		DATE: <b>4/21/2026</b>	
COMMITTEE: <b>Crime and Public Safety</b>			
<b>TESTIFYING:</b> <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES			
<b>WITNESS NAME</b>			
<b>BUSINESS/ORGANIZATION:</b>			
WITNESS NAME: <b>HEATHER ELDER</b>		PHONE NUMBER: <b>573-694-9187</b>	
BUSINESS/ORGANIZATION NAME: <b>MADD</b>		TITLE: <b>ADVOCATE</b>	
ADDRESS: <b>1757 WOODCLIFF DR.</b>			
CITY: <b>JEFFERSON CITY</b>		STATE: <b>MO</b>	ZIP: <b>65101</b>
EMAIL:	ATTENDANCE:	SUBMIT DATE: <b>4/21/2026 12:00 AM</b>	
<b>THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.</b>			



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<b>WITNESS NAME</b>			
<b>INDIVIDUAL:</b>			
WITNESS NAME: <b>JENNIFER NELDON</b>		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE:	SUBMIT DATE: <b>4/21/2026 12:00 AM</b>	
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<b>WITNESS NAME</b>		
<b>INDIVIDUAL:</b>		
WITNESS NAME: <b>JUSTINE "TINA" WOHR</b>		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE:                  ZIP:
EMAIL:	ATTENDANCE: <b>Written</b>	SUBMIT DATE: <b>4/20/2026 8:18 PM</b>
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**My name is Tina Woehr and I am writing in support of HB3435. Missouri has to start taking a stand regarding drinking and driving.**



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<b>WITNESS NAME</b>			
<b>INDIVIDUAL:</b>			
WITNESS NAME: <b>RAELYN BREWER</b>		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE:	SUBMIT DATE: <b>4/21/2026 12:00 AM</b>	
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<b>WITNESS NAME</b>			
<b>INDIVIDUAL:</b>			
WITNESS NAME: <b>SARAH BERRY</b>		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE: <b>Written</b>	SUBMIT DATE: <b>4/21/2026 8:44 AM</b>	

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This testimony addresses constitutional and structural concerns arising from HB 1808, which establishes a limited and exclusive cause of action for injuries arising from the provision of alcohol by a social host.

**Legal Concerns:**

First, the bill creates an irrebuttable presumption that a person with a blood alcohol concentration below 0.10 was not visibly intoxicated. This provision prevents a plaintiff from presenting evidence to the contrary and removes a factual determination from the jury. Such a restriction raises significant due process concerns and implicates the right to trial by jury under Article I, Section 22(a) of the Missouri Constitution.

Second, the bill designates this statutory framework as the exclusive civil remedy, thereby eliminating common law causes of action that may otherwise be available.

This limitation may conflict with Article I, Section 14 of the Missouri Constitution, which guarantees access to the courts and a remedy for injury.

Third, the statute imposes multiple cumulative requirements for recovery, including limiting claims to injuries arising from motor vehicle accidents. This restriction excludes other foreseeable harms resulting from intoxication and may leave injured parties without a viable remedy.

Finally, the use of fixed blood alcohol thresholds to determine liability introduces arbitrary distinctions that may not reflect actual observable intoxication, further undermining the reliability and fairness of the statutory framework.

**Conclusion:**

While the regulation of civil liability is within legislative authority, HB 1808 introduces substantial constitutional concerns by restricting access to the courts, limiting the role of the jury, and imposing irrebuttable presumptions that may not align with real-world conditions. These issues warrant careful reconsideration to ensure compliance with Missouri constitutional protections.

This proposal should also be evaluated within the broader legislative context in which multiple measures appear to narrow access to legal remedies, limit judicial review, and alter traditional accountability mechanisms.

Recent legislative proposals have included provisions that:

- Restrict access to courts or judicial review,
- Reallocate decision-making authority to administrative bodies,
- Modify evidentiary standards in ways that limit fact-finding,
- Reduce enforcement visibility or operational accountability.

When considered collectively, these measures may have the cumulative effect of constraining traditional avenues of legal redress and reducing the ability of individuals to seek accountability through established legal processes.

While each proposal may be evaluated independently, the broader structural impact of such changes warrants careful consideration to ensure continued alignment with constitutional protections, including due process and access to the courts under the Missouri Constitution.



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<b>BUSINESS/ORGANIZATION:</b>			
WITNESS NAME: <b>ARNIE C. AC "HONEST-ABE" DIENOFF</b>		PHONE NUMBER: <b>314-440-9000</b>	
BUSINESS/ORGANIZATION NAME: <b>STATE PUBLIC ADVOCACY</b>		TITLE: <b>STATE PUBLIC ADVOCATE</b>	
ADDRESS: <b>POST OFFICE BOX #1535</b>			
CITY: <b>O'FALLON</b>		STATE: <b>MO</b>	ZIP: <b>63366</b>
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