



MISSOURI HOUSE OF REPRESENTATIVES  
**WITNESS APPEARANCE FORM**

BILL NUMBER: <b>HB 3435</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 8:48 AM</b>	
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This testimony addresses HB 3435 and its structural and constitutional implications, particularly in light of similar legislative proposals that adopt the same liability framework.

**Legal Concerns:**

HB 3435 establishes a restrictive and exclusive cause of action for claims arising from the provision of alcohol by a social host. As with similar proposals, the bill introduces an irrebuttable presumption based on blood alcohol concentration that prevents a plaintiff from presenting contrary evidence. This provision removes a factual determination from the jury and raises substantial due process and jury trial concerns under the Missouri Constitution.

Additionally, the bill designates this framework as the exclusive civil remedy, thereby eliminating broader common law causes of action. This limitation may conflict with the constitutional guarantee of access to the courts by restricting the ability of injured parties to seek redress.

The bill further limits recovery to injuries arising from motor vehicle accidents, excluding other foreseeable harms associated with intoxication.

This narrowing of liability, combined with multiple cumulative requirements, significantly constrains the ability of injured individuals to obtain relief.

Notably, this proposal reflects a repeated legislative approach that narrows civil liability through identical structural mechanisms. The cumulative effect of such measures warrants careful consideration to ensure continued alignment with constitutional protections.

**Conclusion:**

HB 3435 raises the same constitutional concerns identified in similar legislation, including restrictions on jury fact-finding, limitations on access to the courts, and the use of irrebuttable presumptions.

The repetition of this framework across multiple bills further underscores the need for careful scrutiny of its broader legal and structural impact.



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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>
EMAIL:	ATTENDANCE:	SUBMIT DATE: <b>4/21/2026 12:00 AM</b>
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