

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 301, Page 1, Section A, Line 4, by
2 inserting after said section and line the following:

3
4 "1.450. ~~[No entity or person, including any public officer or employee of this state or any~~
5 ~~political subdivision of this state, shall have the authority to enforce or attempt to enforce any~~
6 ~~federal acts, laws, executive orders, administrative orders, rules, regulations, statutes, or ordinances~~
7 ~~infringing on the right to keep and bear arms as described under section 1.420.]~~ Nothing in sections
8 1.410 to 1.480 shall be construed to prohibit Missouri officials from accepting aid from federal
9 officials in an effort to enforce Missouri laws."; and

10
11 Further amend said bill, Page 24, Section 590.1075, Line 11, by inserting after said section and line
12 the following:

13
14 "~~1.460. 1. Any political subdivision or law enforcement agency that~~
15 ~~employs a law enforcement officer who acts knowingly, as defined under section~~
16 ~~562.016, to violate the provisions of section 1.450 or otherwise knowingly~~
17 ~~deprives a citizen of Missouri of the rights or privileges ensured by Amendment II~~
18 ~~of the Constitution of the United States or Article I, Section 23 of the Constitution~~
19 ~~of Missouri while acting under the color of any state or federal law shall be liable~~
20 ~~to the injured party in an action at law, suit in equity, or other proper proceeding~~
21 ~~for redress, and subject to a civil penalty of fifty thousand dollars per occurrence.~~
22 ~~Any person injured under this section shall have standing to pursue an action for~~
23 ~~injunctive relief in the circuit court of the county in which the action allegedly~~
24 ~~occurred or in the circuit court of Cole County with respect to the actions of such~~
25 ~~individual. The court shall hold a hearing on the motion for temporary restraining~~
26 ~~order and preliminary injunction within thirty days of service of the petition.~~

27 ~~2. In such actions, the court may award the prevailing party, other than the~~
28 ~~state of Missouri or any political subdivision of the state, reasonable attorney's~~
29 ~~fees and costs.~~

30 ~~3. Sovereign immunity shall not be an affirmative defense in any action~~
31 ~~pursuant to this section.]~~

32
33 ~~[1.470. 1. Any political subdivision or law enforcement agency that~~
34 ~~knowingly employs an individual acting or who previously acted as an official,~~

Action Taken _____ Date _____

1 agent, employee, or deputy of the government of the United States, or otherwise
2 acted under the color of federal law within the borders of this state, who has
3 knowingly, as defined under section 562.016, after the adoption of this section:

4 (1) Enforced or attempted to enforce any of the infringements identified in
5 section 1.420; or

6 (2) Given material aid and support to the efforts of another who enforces
7 or attempts to enforce any of the infringements identified in section 1.420;

8
9 shall be subject to a civil penalty of fifty thousand dollars per employee hired by
10 the political subdivision or law enforcement agency. Any person residing in a
11 jurisdiction who believes that an individual has taken action that would violate the
12 provisions of this section shall have standing to pursue an action.

13 2. Any person residing or conducting business in a jurisdiction who
14 believes that an individual has taken action that would violate the provisions of
15 this section shall have standing to pursue an action for injunctive relief in the
16 circuit court of the county in which the action allegedly occurred or in the circuit
17 court of Cole County with respect to the actions of such individual. The court
18 shall hold a hearing on the motion for a temporary restraining order and
19 preliminary injunction within thirty days of service of the petition.

20 3. In such actions, the court may award the prevailing party, other than the
21 state of Missouri or any political subdivision of the state, reasonable attorney's
22 fees and costs.

23 4. Sovereign immunity shall not be an affirmative defense in any action pursuant to this
24 section.]" ; and

25
26 Further amend said bill by amending the title, enacting clause, and intersectional references
27 accordingly.