

SECOND REGULAR SESSION

SENATE BILL NO. 919

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR JUSTUS.

Read 1st time February 25, 2014, and ordered printed.

TERRY L. SPIELER, Secretary.

6218S.011

AN ACT

To repeal section 213.111, RSMo, and to enact in lieu thereof one new section relating to the right to bring suit under the Human Rights Act.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 213.111, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 213.111, to read as follows:

213.111. 1. If, after one hundred [eighty] **twenty** days from the filing of
2 a complaint alleging an unlawful discriminatory practice pursuant to section
3 213.055, 213.065 or 213.070 to the extent that the alleged violation of section
4 213.070 relates to or involves a violation of section 213.055 or 213.065, or
5 subdivision (3) of section 213.070 as it relates to employment and public
6 accommodations, the commission has not completed its administrative processing
7 and the person aggrieved so requests in writing, the commission shall issue to the
8 person claiming to be aggrieved a letter indicating his or her right to bring a civil
9 action within ninety days of such notice against the respondent named in the
10 complaint. If, after the filing of a complaint pursuant to sections 213.040,
11 213.045, 213.050 and 213.070, to the extent that the alleged violation of section
12 213.070 relates to or involves a violation of sections 213.040, 213.045 and
13 213.050, or subdivision (3) of section 213.070 as it relates to housing, and the
14 person aggrieved so requests in writing, the commission shall issue to the person
15 claiming to be aggrieved a letter indicating his or her right to bring a civil action
16 within ninety days of such notice against the respondent named in the
17 complaint. Such an action may be brought in any circuit court in any county in
18 which the unlawful discriminatory practice is alleged to have occurred, either
19 before a circuit or associate circuit judge. Upon issuance of this notice, the
20 commission shall terminate all proceedings relating to the complaint. No person

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

21 may file or reinstate a complaint with the commission after the issuance of a
22 notice under this section relating to the same practice or act. Any action brought
23 in court under this section shall be filed within ninety days from the date of the
24 commission's notification letter to the individual but no later than two years after
25 the alleged cause occurred or its reasonable discovery by the alleged injured
26 party.

27 2. The court may grant as relief, as it deems appropriate, any permanent
28 or temporary injunction, temporary restraining order, or other order, and may
29 award to the plaintiff actual and punitive damages, and may award court costs
30 and reasonable attorney fees to the prevailing party, other than a state agency
31 or commission or a local commission; except that, a prevailing respondent may be
32 awarded court costs and reasonable attorney fees only upon a showing that the
33 case is without foundation.

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Bill

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