

FIRST REGULAR SESSION

SENATE BILL NO. 242

92ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR YECKEL.

Read 1st time January 13, 2003, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

0983S.011

AN ACT

To amend chapter 512, RSMo, by adding thereto one new section relating to supersedeas bond requirements.

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

Section A. Chapter 512, RSMo, is amended by adding thereto one new section, to be known as section 512.099, to read as follows:

512.099. 1. The supersedeas bond that an appellant is required to post to stay execution on a judgment during the period an appeal is pending shall be determined in accordance with applicable provisions of the Missouri statues and court rules, except that, notwithstanding the provisions of Missouri supreme court rule 81.09 or section 512.080 to the contrary, the supersedeas bond shall not exceed twenty-five million dollars regardless of the value of the judgment.

2. Notwithstanding subsection 1 of this section, if the appellee proves by a preponderance of the evidence that the appellant is purposefully dissipating assets outside the ordinary course of business to avoid payment of the judgment, the court may enter such orders as are necessary to protect the appellee, including a requirement that a bond be posted equal to the full amount of the judgment.