

SECOND REGULAR SESSION

SENATE BILL NO. 545

96TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR CHAPPELLE-NADAL.

Pre-filed December 9, 2011, and ordered printed.

TERRY L. SPIELER, Secretary.

4104S.011

AN ACT

To amend chapter 105, RSMo, by adding thereto two new sections relating to public officials.

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

Section A. Chapter 105, RSMo, is amended by adding thereto two new sections, to be known as sections 105.009 and 105.011, to read as follows:

105.009. 1. Before taking office and once every two years thereafter, all state elected officials, state executive branch managerial staff, and all officers and leadership staff of the house of representatives and senate shall be subject to chemical testing of their blood or urine for the purpose of determining the drug content of the blood. The costs of such testing shall be paid by such official, officer, or staff member.

2. To be considered valid, chemical tests of the person's blood or urine shall be performed according to methods and devices approved by the state department of health and senior services, and shall be performed by licensed medical personnel or by a person possessing a valid permit issued by the state department of health and senior services for this purpose. A blood test shall not be performed if the medical personnel, in good faith medical judgment, believe such procedure would endanger the health of the person.

3. Upon request of the person tested, full information concerning the test shall be made available to the person.

4. No person administering a chemical test under this section or any other person, firm, or corporation with whom such person is associated shall be civilly liable for damages to the person tested except for negligence or by willful or wanton act or omission.

**105.011. Any member of the general assembly who is arrested two
2 or more times during the course of the member's term of office shall
3 immediately forfeit and vacate the office.**

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