

SECOND REGULAR SESSION

# SENATE BILL NO. 863

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR EMERY.

Read 1st time February 13, 2014, and ordered printed.

TERRY L. SPIELER, Secretary.

6004S.011

## AN ACT

To amend chapter 537, RSMo, by adding thereto one new section relating to immunity from civil suits for sheriffs.

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

Section A. Chapter 537, RSMo, is amended by adding thereto one new section, to be known as section 537.900, to read as follows:

**537.900. 1. No cause of action shall be brought against a sheriff, deputy sheriff, or administrative employee thereof when the actions complained of were performed in the furtherance of or in compliance with a facially valid court order or directive, even if a court of competent jurisdiction later determines that the court order or directive executed was invalid. If such action is filed against a sheriff, deputy sheriff, or administrative employee thereof, and the defendant is the prevailing party, then all costs and reasonable attorney's fees incurred for the defense of the action by, or on behalf of, the sheriff, deputy sheriff, or administrative employee thereof shall be taxed to the plaintiff.**

**2. This section in no way limits the liability of a sheriff, deputy sheriff, or administrative employee thereof who neglects or refuses to carry out an execution as provided in section 513.340, or of a person who uses fraud or dishonest statements in requesting a court order or directive which is then executed.**

✓