

**SENATE AMENDMENT NO. \_\_\_\_\_**

Offered by \_\_\_\_\_ Of \_\_\_\_\_

Amend SS/HCs/House Bill No. 90 & 68, Page 8, Section 195.465, Line 18,

2 by inserting after all of said line the following:

3 "4. Neither the sovereign nor the official immunity  
4 doctrines shall apply to a person, department, or department  
5 employee authorized to have information obtained under sections  
6 195.450 to 195.468 in instances when such information is  
7 intentionally disclosed to, or obtained by, an unauthorized  
8 party. If personally identifiable information is intentionally  
9 disclosed to, or obtained by, an unauthorized party, then the  
10 person whose information was compromised shall have a cause of  
11 action to recover liquidated damages in the amount of five  
12 thousand dollars in addition to compensatory economic and  
13 noneconomic damages, attorney fees, and court costs from the  
14 department which was the custodian of such information. A court  
15 may also award punitive damages. None of the foregoing damages  
16 shall be paid out from the state legal expense fund, but shall be  
17 paid by the department."

18 Further amend the title and enacting clause accordingly.