

# SENATE BILL NO. 766

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR THOMPSON REHDER.

4104S.01H

KRISTINA MARTIN, Secretary

## AN ACT

To amend chapter 168, RSMo, by adding thereto one new section relating to allegations of sexual misconduct against private school employees.

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

Section A. Chapter 168, RSMo, is amended by adding thereto  
2 one new section, to be known as section 168.134, to read as  
3 follows:

168.134. 1. As used in this section, the term  
2 "private school" means a school that is not a part of the  
3 public school system of the state of Missouri and that  
4 charges tuition for the rendering of elementary or secondary  
5 educational services.

6 2. If a private school that has employed any employee  
7 whose job involves contact with children receives  
8 allegations of sexual misconduct involving a child, as  
9 provided in section 566.083, concerning the employee and, as  
10 a result of such allegations or as a result of such  
11 allegations being substantiated by the child abuse and  
12 neglect review board, dismisses the employee or allows the  
13 employee to resign in lieu of being terminated and fails to  
14 disclose the allegations of sexual misconduct when  
15 furnishing a reference for the former employee or responding  
16 to a potential employer's request for information regarding  
17 such employee, the private school shall be liable for  
18 damages to any student of a subsequent employing private

19 school, school district, or charter school who is found by a  
20 court of competent jurisdiction to be a victim of the former  
21 employee's sexual misconduct, and the private school shall  
22 be liable to the employing private school, school district,  
23 or charter school for any legal liability, legal fees,  
24 costs, and expenses incurred by the employing private  
25 school, school district, or charter school caused by the  
26 failure to disclose such information to the employing  
27 private school, school district, or charter school.

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