

HOUSE BILL NO. 2545

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE DINKINS.

5309H.011

DANA RADEMAN MILLER, Chief Clerk

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 one new section, to be known as section 168.134, to read as follows:

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

2. If a private school receives notice of an allegation of sexual misconduct involving a child under section 566.063 by an employee of the school whose job involves contact with children and, as a result of such allegation or as a result of such allegation being substantiated by the child abuse and neglect review board, dismisses the employee from employment or allows the employee to resign in lieu of being terminated and fails to disclose the allegation of sexual misconduct when furnishing an employment reference for the former employee or when responding to a potential employer's request for information regarding the former employee, the private school shall be liable for any:

(1) Damages incurred by any student of a subsequent employing private school, school district, or charter school who is found by a court of competent jurisdiction to be a victim of the former employee's sexual misconduct; and

(2) Damages, legal fees, costs, and expenses incurred by a subsequent employing private school, school district, or charter school caused by the private school's failure to

EXPLANATION — Matter enclosed in bold-faced brackets ~~thus~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

- 18 **disclose such information to the subsequent employing private school, school district, or**
- 19 **charter school.**

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