

FIRST REGULAR SESSION

HOUSE BILL NO. 1046

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE ZERR.

2303H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 513.380, RSMo, and to enact in lieu thereof one new section relating to execution of judgments, with a penalty provision.

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

Section A. Section 513.380, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 513.380, to read as follows:

513.380. 1. Whenever an execution against the property of any judgment debtor, individual or corporate, issued from any court in this state, shall be returned unsatisfied, in whole or in part, by any sheriff or other proper officer, the judgment creditor in such execution, his executor, administrator or assign, may, at any time within five years after such return so made, be entitled to an order by the court rendering such judgment, requiring the judgment debtor or, in the case of a corporate judgment debtor, its chief officer to appear before such court at a time and place in said order to be named, to undergo an examination under oath touching his ability and means to satisfy said judgment, and in case of neglect or refusal on the part of such judgment debtor or, in the case of a corporate debtor, its chief officer to obey such order, such court is hereby authorized to issue a writ of attachment against said debtor, as now provided by law, and to punish him or, in the case of a corporate debtor, its chief officer for contempt.

2. **Any judgment debtor who has a writ of attachment ordered against him or her shall inform the court and the judgment creditor of his or her place of employment, and any changes thereto, until the judgment has been settled. The judgment debtor shall be subject to a two hundred fifty dollar fine for any violation of the provisions of this subsection.**

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.

17 **3.** Any prosecuting attorney or circuit attorney may grant use immunity from prosecution
18 to a judgment debtor for any statement made at a judgment debtor's examination conducted
19 pursuant to subsection 1 of this section. Such use immunity from prosecution shall protect such
20 person from prosecution for any offense related to the content of the statements made.

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