

SECOND REGULAR SESSION

HOUSE BILL NO. 2195

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE PLOCHER.

4947H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 491, RSMo, by adding thereto one new section relating to the admissibility of witness statements.

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

Section A. Chapter 491, RSMo, is amended by adding thereto one new section, to be
2 known as section 491.016, to read as follows:

**491.016. A statement made by a witness that is not otherwise admissible is
2 admissible in evidence in a criminal proceeding in the courts of this state as substantive
3 evidence to prove the truth of the matter asserted if the court finds, by a preponderance
4 of the evidence in a hearing conducted outside the presence of the jury and before trial,
5 that the defendant engaged in or acquiesced to wrongdoing with the purpose of preventing
6 the witness from testifying in any proceeding.**

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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.