

HCS HB 1657 -- PUBLIC NUISANCE

SPONSOR: Proudie

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Special Committee on Criminal Justice by a vote of 8 to 0.

The following is a summary of the House Committee Substitute for HB 1657.

This bill prohibits requests to law enforcement or emergency services for assistance from being considered a public nuisance.

Political subdivisions are prohibited from penalizing a resident, tenant, or landlord for a contact made for police or emergency assistance by or on behalf of a victim of abuse, crime, or an individual in an emergency, if the contact was reasonably believed to be necessary or is actually necessary.

If a political subdivision attempts to enforce an ordinance in violation of this prohibition, the resident, tenant, or landlord may file civil suit against the political subdivision for various remedies including a cease and desist order, compensatory damages, attorney's fees, court costs, and other equitable relief.

This bill is similar to HB 969 (2019).

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPOSERS: Supporters say that this would make it illegal for municipalities to consider calls with substantiated evidence to law enforcement for domestic violence public nuisances. Nuisance laws related to domestic violence calls violate state and federal law, specifically the first amendment and fair housing laws. Even if the laws are not meant to hurt people who have been abused, etc, there are often unintended consequences. The number one unmet need for domestic violence victims is housing, so it's an issue if they get evicted under these ordinances. No one should be penalized for contacting law enforcement for emergency situations. In St. Louis, tenants and landlords are required to obtain occupancy permits, and those can be and have been revoked under these ordinances. It's important that the legislation's language remain broad rather than limiting specifically to domestic violence because calls aren't always called in that way. Landlords are also concerned because sometimes these calls tag their properties as nuisances so they want people to leave because they create issues for these landlords.

Testifying for the bill were Representative Proudie; Missouri Coalition Against Domestic And Sexual Violence; Sarah Paulsard, Empower Missouri; and Samuel Hoff Stragand, Metropolitan St Louis Equal Housing And Opportunity Council.

OPPONENTS: There was no opposition voiced to the committee.