

FIRST REGULAR SESSION

SENATE BILL NO. 500

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR EIGEL.

1578S.01I

KRISTINA MARTIN, Secretary

AN ACT

To amend chapter 540, RSMo, by adding thereto one new section relating to statewide grand juries.

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

Section A. Chapter 540, RSMo, is amended by adding thereto
2 one new section, to be known as section 540.340, to read as
3 follows:

540.340. 1. As used in this section the following
2 terms shall mean:

3 (1) "Indictment", a written formal recommendation by a
4 statewide grand jury that specific persons shall be charged
5 with specific offenses;

6 (2) "Statewide grand jury", a statewide or regional
7 investigating grand jury convened by the supreme court upon
8 the application of the governor or the attorney general
9 which shall have jurisdiction to inquire into circumstances
10 of any and all wrong-doing relating to vaccinations against
11 COVID-19 in this state.

12 2. The governor or the attorney general, or one of the
13 designees of the governor or attorney general, shall have
14 the authority to submit an application for a statewide grand
15 jury to the supreme court. In such application, the
16 governor or attorney general shall state that, in his or her
17 judgment, the convening of a statewide grand jury is
18 necessary because of the need to investigate circumstances
19 of any and all wrong-doing relating to vaccinations against

COVID-19 in this state. The application shall specify for which counties the statewide grand jury is to be convened. The prosecuting attorneys of such counties shall receive notice from the supreme court that such application was submitted. Within ten days of receipt of such application, the court shall issue an order granting the request. Failure by an individual judge to grant such application shall be appealable to the entire supreme court.

3. An order issued pursuant to subsection 2 of this section shall:

(1) Convene a statewide grand jury having statewide jurisdiction or jurisdiction over all counties requested in the application by the attorney general or governor;

(2) Designate a presiding judge over such statewide grand jury and provide that such judge shall have jurisdiction over all counties in the jurisdiction of such statewide grand jury in matters pursuant to the investigation, indictments, and all other duties of the statewide grand jury;

(3) Designate the counties which shall supply jurors and in what ratios;

(4) Designate a location or locations for the statewide grand jury proceeding; and

(5) Provide for such other incidental arrangement as may be necessary.

4. All matters to be included in such order shall be determined by the judge issuing the order in any manner in which he or she deems appropriate, except that the supreme court may adopt court rules, consistent with the provisions of this section, establishing standard procedures for the convening of statewide grand juries.

51 5. The statewide grand jury shall be summoned in a
52 manner pursuant to section 540.021.

53 6. The convening of a statewide grand jury shall in no
54 way diminish the responsibility and authority of the
55 prosecuting attorneys within their jurisdictions to
56 investigate and prosecute criminal offenses.

57 7. The statewide grand jury shall have the power to
58 inquire into any and all wrong-doings relating to
59 vaccination against COVID-19 in this state. Such power
60 shall include, but shall not be limited to, the power to
61 subpoena, the power to initiate civil and criminal contempt
62 proceedings, and every investigative power of any grand jury
63 of the state. Such alleged offenses may be brought to the
64 attention of such grand jury by the court, the attorney
65 general or the governor, but in no case shall the statewide
66 grand jury inquire into alleged offenses on its own motion.

67 8. The statewide grand jury shall have the power to
68 issue an indictment with regard to any person who appears to
69 have committed an offense within the county or counties in
70 which such statewide grand jury is summoned. Whenever a
71 statewide grand jury returns an indictment against any
72 person, the attorney general, or his or her designees,
73 shall, with respect to the alleged criminal offenses, be
74 authorized to prosecute the person on behalf of the state by
75 instituting criminal proceedings in the county of the
76 appropriate jurisdiction.

77 9. In any case where a statewide grand jury returns an
78 indictment, the presiding judge of the statewide grand jury
79 shall select the county for conducting the trial from among
80 those counties having jurisdiction.

81 10. When the attorney general proceeds on the basis of
82 an indictment, the attorney general shall file a complaint,

83 information, or indictment and the defendant shall be
84 entitled to a preliminary hearing as in other criminal
85 proceedings.

✓