

SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NOS. 302 & 228

AN ACT

To repeal sections 43.505, 57.450, 57.530, 86.207, 190.103, 190.165, 302.441, 488.5320, 513.653, 544.671, 565.050, 565.052, 565.054, 565.056, 575.150, 650.055, and 650.330, RSMo, and to enact in lieu thereof twenty-three new sections relating to emergency responders, with penalty provisions and an emergency clause for certain sections.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI,
AS FOLLOWS:

1 Section A. Sections 43.505, 57.450, 57.530, 86.207,
2 190.103, 190.165, 302.441, 488.5320, 513.653, 544.671, 565.050,
3 565.052, 565.054, 565.056, 575.150, 650.055, and 650.330, RSMo,
4 are repealed and twenty-three new sections enacted in lieu
5 thereof, to be known as sections 43.505, 57.450, 57.530, 84.514,
6 86.207, 190.103, 190.147, 190.165, 252.069, 302.441, 488.5320,
7 513.653, 544.671, 565.050, 565.052, 565.054, 565.056, 575.150,
8 590.1040, 650.055, 650.330, 650.520, and 1, to read as follows:
9 43.505. 1. The department of public safety is hereby
10 designated as the central repository for the collection,
11 maintenance, analysis and reporting of crime incident activity
12 generated by law enforcement agencies in this state. The

1 department shall develop and operate a uniform crime reporting
2 system that is compatible with the national uniform crime
3 reporting system operated by the Federal Bureau of Investigation.

4 2. The department of public safety shall:

5 (1) Develop, operate and maintain an information system for
6 the collection, storage, maintenance, analysis and retrieval of
7 crime incident and arrest reports from Missouri law enforcement
8 agencies;

9 (2) Compile the statistical data and forward such data as
10 required to the Federal Bureau of Investigation or the
11 appropriate Department of Justice agency in accordance with the
12 standards and procedures of the national system;

13 (3) Provide the forms, formats, procedures, standards and
14 related training or training assistance to all law enforcement
15 agencies in the state as necessary for such agencies to report
16 incident and arrest activity for timely inclusion into the
17 statewide system;

18 (4) Annually publish a report on the nature and extent of
19 crime and submit such report to the governor and the general
20 assembly. Such report and other statistical reports shall be
21 made available to state and local law enforcement agencies and
22 the general public through an electronic or manual medium;

23 (5) Maintain the privacy and security of information in
24 accordance with applicable state and federal laws, regulations
25 and orders; and

26 (6) Establish such rules and regulations as are necessary
27 for implementing the provisions of this section. Any rule or
28 portion of a rule, as that term is defined in section 536.010,

1 that is created under the authority delegated in this section
2 shall become effective only if it complies with and is subject to
3 all of the provisions of chapter 536 and, if applicable, section
4 536.028. This section and chapter 536 are nonseverable and if
5 any of the powers vested with the general assembly pursuant to
6 chapter 536 to review, to delay the effective date or to
7 disapprove and annul a rule are subsequently held
8 unconstitutional, then the grant of rulemaking authority and any
9 rule proposed or adopted after August 28, 2000, shall be invalid
10 and void.

11 3. Every law enforcement agency in the state shall:

12 (1) Submit crime incident reports to the department of
13 public safety on forms or in the format prescribed by the
14 department; and

15 (2) Submit any other crime incident information which may
16 be required by the department of public safety.

17 4. Any law enforcement agency that violates this section
18 after December 31, 2021, may be ineligible to receive state or
19 federal funds which would otherwise be paid to such agency for
20 law enforcement, safety or criminal justice purposes.

21 57.450. All general laws relating and applicable to the
22 sheriffs of the several counties of this state shall apply to the
23 same officer in the City of St. Louis, except that the sheriff of
24 the City of St. Louis shall not enforce the general criminal laws
25 of the state of Missouri unless such enforcement shall be
26 incidental to the duties customarily performed by the sheriff of
27 the City of St. Louis. The office of sheriff of the city of St.
28 Louis shall be considered a law enforcement agency, and the

1 sheriff and sworn deputies of that office shall be considered law
2 enforcement officers and shall be eligible for training and
3 licensure by the peace officer standards and training commission
4 under chapter 590. All acts and parts of acts providing for any
5 legal process to be directed to any sheriff of any county shall
6 be so construed as to mean the sheriff of the city of St. Louis
7 as if such officer were specifically named in such act.

8 57.530. 1. The sheriff of the city of St. Louis shall[,
9 with the approval of a majority of the circuit judges of the
10 circuit court of said city,] appoint as many deputies and
11 assistants as may be necessary to perform the duties of his or
12 her office, and fix the compensation for their services, which
13 compensation, however, shall not in any case exceed the annual
14 rate of compensation fixed by the board of aldermen of the city
15 of St. Louis therefor.

16 2. Any person appointed as deputy, or any like position,
17 under subsection 1 of this section shall hold a valid peace
18 officer license under chapter 590.

19 84.514. The chief of police, with the approval of the
20 board, may appoint a police officer to serve as lieutenant
21 colonel on matters relating to homeland security and disaster
22 communications. Notwithstanding the provisions of section 84.510
23 to the contrary, such position shall be a new position and in
24 addition to the number of lieutenant colonels authorized under
25 section 84.510. The lieutenant colonel authorized under this
26 section shall be responsible for matters relating to homeland
27 security and disaster communications as determined by the chief
28 and be entitled to the same rank, privileges, and compensation

1 afforded all other lieutenant colonels within the department.

2 86.207. 1. Except as provided herein, all persons who
3 become policemen and all policemen who enter or reenter the
4 service of any city not within a county after the first day of
5 October, 1957, become members of the system as a condition of
6 their employment and during the period of their membership shall
7 receive no pensions or retirement allowance from any other
8 pension or retirement system supported wholly or in part by the
9 city not within a county or the state of Missouri, nor shall they
10 be required to make contributions under any other pension or
11 retirement system of the city not within a county or the state of
12 Missouri for the same period of service[, anything to the
13 contrary notwithstanding. Any employee of a city not within a
14 county who is earning creditable service in a retirement plan
15 established by said city under section 95.540 and subsequently
16 becomes a policeman may elect to remain a member of said
17 retirement plan and shall not be required to become a member of a
18 police retirement system established under section 86.200.

19 However,]. Officers employed by a city not within a county and
20 occupying the position of "Airport Police Officer" shall not be
21 required to become members as a condition of their employment.

22 An employee of a city not within a county who is earning
23 creditable service in a retirement plan established by said city
24 under section 95.540 and who subsequently becomes a policeman may
25 elect to transfer [membership and] creditable service to the
26 police retirement system created under [section] sections 86.200
27 to 86.366. Such transfers are subject to the conditions and
28 requirements contained in section 105.691 and are also subject to

1 any existing agreements between the said retirement plans[;
2 provided however, transfers completed prior to January 1, 2016,
3 shall occur without regard to the vesting requirements of the
4 receiving plan contained in section 105.691]. As part of the
5 transfer process described herein, the respective retirement
6 plans may require the employee to acknowledge and agree as a
7 condition of transfer that any election made under this section
8 is irrevocable, constitutes a waiver of any right to receive
9 retirement and disability benefits except as provided by the
10 police retirement system, and that plan terms may be modified in
11 the future.

12 2. If any member ceases to be in service for more than one
13 year unless the member has attained the age of fifty-five or has
14 twenty years or more of creditable service, or if the member
15 withdraws the member's accumulated contributions or if the member
16 receives benefits under the retirement system or dies, the member
17 thereupon ceases to be a member; except in the case of a member
18 who has served in the Armed Forces of the United States and has
19 subsequently been reinstated as a policeman. A member who has
20 terminated employment as a police officer, has actually retired
21 and is receiving retirement benefits under the system shall be
22 considered a retired member.

23 3. A reserve officer shall not be considered a member of
24 the system for the purpose of determining creditable service, nor
25 shall any contributions be due. A reserve officer shall not be
26 entitled to any benefits from the system other than those awarded
27 when the reserve officer originally retired under section 86.250,
28 nor shall service as a reserve officer prohibit distribution of

1 those benefits.

2 190.103. 1. One physician with expertise in emergency
3 medical services from each of the EMS regions shall be elected by
4 that region's EMS medical directors to serve as a regional EMS
5 medical director. The regional EMS medical directors shall
6 constitute the state EMS medical director's advisory committee
7 and shall advise the department and their region's ambulance
8 services on matters relating to medical control and medical
9 direction in accordance with sections 190.001 to 190.245 and
10 rules adopted by the department pursuant to sections 190.001 to
11 190.245. The regional EMS medical director shall serve a term of
12 four years. The southwest, northwest, and Kansas City regional
13 EMS medical directors shall be elected to an initial two-year
14 term. The central, east central, and southeast regional EMS
15 medical directors shall be elected to an initial four-year term.
16 All subsequent terms following the initial terms shall be four
17 years.

18 2. A medical director is required for all ambulance
19 services and emergency medical response agencies that provide:
20 advanced life support services; basic life support services
21 utilizing medications or providing assistance with patients'
22 medications; or basic life support services performing invasive
23 procedures including invasive airway procedures. The medical
24 director shall provide medical direction to these services and
25 agencies in these instances.

26 3. The medical director, in cooperation with the ambulance
27 service or emergency medical response agency administrator, shall
28 have the responsibility and the authority to ensure that the

1 personnel working under their supervision are able to provide
2 care meeting established standards of care with consideration for
3 state and national standards as well as local area needs and
4 resources. The medical director, in cooperation with the
5 ambulance service or emergency medical response agency
6 administrator, shall establish and develop triage, treatment and
7 transport protocols, which may include authorization for standing
8 orders.

9 4. All ambulance services and emergency medical response
10 agencies that are required to have a medical director shall
11 establish an agreement between the service or agency and their
12 medical director. The agreement will include the roles,
13 responsibilities and authority of the medical director beyond
14 what is granted in accordance with sections 190.001 to 190.245
15 and rules adopted by the department pursuant to sections 190.001
16 to 190.245. The agreement shall also include grievance
17 procedures regarding the emergency medical response agency or
18 ambulance service, personnel and the medical director.

19 5. Regional EMS medical directors elected as provided under
20 subsection 1 of this section shall be considered public officials
21 for purposes of sovereign immunity, official immunity, and the
22 Missouri public duty doctrine defenses.

23 6. The state EMS medical director's advisory committee
24 shall be considered a peer review committee under section 537.035
25 and regional EMS medical directors shall be eligible to
26 participate in the Missouri Patient Safety Organization as
27 provided under the Patient Safety and Quality Improvement Act of
28 2005, 42 U.S.C. Section 299, et seq., as amended.

1 7. Regional EMS medical directors may act to provide online
2 telecommunication medical direction to EMT-Bs, EMT-Is, EMT-Ps,
3 and community paramedics and provide offline medical direction
4 per standardized treatment, triage, and transport protocols when
5 EMS personnel, including EMT-Bs, EMT-Is, or EMT-Ps community
6 paramedics, are providing care to special needs patients or at
7 the request of a local EMS agency or medical director.

8 8. When developing treatment protocols for special needs
9 patients, regional EMS medical directors may promulgate such
10 protocols on a regional basis across multiple political
11 subdivisions' jurisdictional boundaries and such protocols may be
12 used by multiple agencies including, but not limited to,
13 ambulance services, emergency response agencies, and public
14 health departments.

15 9. Multiple EMS agencies including, but not limited to,
16 ambulance services, emergency response agencies, and public
17 health departments shall take necessary steps to follow the
18 regional EMS protocols established as provided under subsection 8
19 of this section in cases of mass casualty or state-declared
20 disaster incidents.

21 10. When regional EMS medical directors develop and
22 implement treatment protocols for patients or provide online
23 medical direction for such patients, such activity shall not be
24 construed as having usurped local medical direction authority in
25 any manner.

26 11. Notwithstanding any other provision of law, when
27 regional EMS medical directors are providing either online
28 telecommunication medical direction to EMT-Bs, EMT-Is, EMT-Ps,

1 and community paramedics, or offline medical direction per
2 standardized EMS treatment, triage, and transport protocols for
3 patients, those medical directions or treatment protocols may
4 include the administration of the patient's own prescription
5 medications.

6 190.147. 1. Emergency medical technician paramedics (EMT-
7 Ps) who have:

8 (1) Completed at least forty hours of the standard crisis
9 intervention training course as endorsed and developed by the
10 National Alliance on Mental Illness or a course of training that
11 the ground or air ambulance service's medical director has
12 determined to be academically equivalent thereto;

13 (2) Been authorized by their ground or air ambulance
14 service's administration and medical director under subsection 3
15 of section 190.103; and

16 (3) Whose ground or air ambulance service has developed and
17 adopted standardized triage, treatment, and transport protocols
18 under subsection 3 of section 190.103, which address the
19 challenge of treating and transporting behavioral health patients
20 who present a likelihood of serious harm to themselves or others
21 as the term "likelihood of serious harm" is defined under section
22 632.005 or who are significantly incapacitated by alcohol or
23 drugs;

24
25 may make a good faith determination that such patients shall be
26 placed into a temporary hold for the sole purposes of transport
27 to the nearest appropriate facility.

28 2. EMT-Ps who have made a good faith decision for a

1 temporary hold of a patient as authorized by this section shall
2 no longer have to rely on the common law doctrine of implied
3 consent and therefore shall not be civilly liable for a good
4 faith determination made in accordance with this section and
5 shall not have waived any sovereign immunity defense, official
6 immunity defense, or Missouri public duty doctrine defense if
7 employed at the time of the good faith determination by a
8 governmental employer.

9 3. Any ground or air ambulance service that adopts the
10 authority and protocols provided for by this section shall have a
11 memorandum of understanding with applicable local law enforcement
12 agencies in order to achieve a collaborative and coordinated
13 response to patients displaying symptoms of either a likelihood
14 of serious harm to themselves or others or significant
15 incapacitation by alcohol or drugs, which require a crisis
16 intervention response.

17 190.165. 1. The department may refuse to issue or deny
18 renewal of any certificate, permit or license required pursuant
19 to sections 190.100 to 190.245 for failure to comply with the
20 provisions of sections 190.100 to 190.245 or any lawful
21 regulations promulgated by the department to implement its
22 provisions as described in subsection 2 of this section. The
23 department shall notify the applicant in writing of the reasons
24 for the refusal and shall advise the applicant of his or her
25 right to file a complaint with the administrative hearing
26 commission as provided by chapter 621.

27 2. The department may cause a complaint to be filed with
28 the administrative hearing commission as provided by chapter 621

1 against any holder of any certificate, permit or license required
2 by sections 190.100 to 190.245 or any person who has failed to
3 renew or has surrendered his or her certificate, permit or
4 license for failure to comply with the provisions of sections
5 190.100 to 190.245 or any lawful regulations promulgated by the
6 department to implement such sections. Those regulations shall
7 be limited to the following:

8 (1) Use or unlawful possession of any controlled substance,
9 as defined in chapter 195, or alcoholic beverage to an extent
10 that such use impairs a person's ability to perform the work of
11 any activity licensed or regulated by sections 190.100 to
12 190.245;

13 (2) Being finally adjudicated and found guilty, or having
14 entered a plea of guilty or nolo contendere, in a criminal
15 prosecution under the laws of any state or of the United States,
16 for any offense reasonably related to the qualifications,
17 functions or duties of any activity licensed or regulated
18 pursuant to sections 190.100 to 190.245, for any offense an
19 essential element of which is fraud, dishonesty or an act of
20 violence, or for any offense involving moral turpitude, whether
21 or not sentence is imposed;

22 (3) Use of fraud, deception, misrepresentation or bribery
23 in securing any certificate, permit or license issued pursuant to
24 sections 190.100 to 190.245 or in obtaining permission to take
25 any examination given or required pursuant to sections 190.100 to
26 190.245;

27 (4) Obtaining or attempting to obtain any fee, charge,
28 tuition or other compensation by fraud, deception or

1 misrepresentation;

2 (5) Incompetency, misconduct, gross negligence, fraud,
3 misrepresentation or dishonesty in the performance of the
4 functions or duties of any activity licensed or regulated by
5 sections 190.100 to 190.245;

6 (6) Violation of, or assisting or enabling any person to
7 violate, any provision of sections 190.100 to 190.245, or of any
8 lawful rule or regulation adopted by the department pursuant to
9 sections 190.100 to 190.245;

10 (7) Impersonation of any person holding a certificate,
11 permit or license or allowing any person to use his or her
12 certificate, permit, license or diploma from any school;

13 (8) Disciplinary action against the holder of a license or
14 other right to practice any activity regulated by sections
15 190.100 to 190.245 granted by another state, territory, federal
16 agency or country upon grounds for which revocation or suspension
17 is authorized in this state;

18 (9) For an individual being finally adjudged insane or
19 incompetent by a court of competent jurisdiction;

20 (10) Assisting or enabling any person to practice or offer
21 to practice any activity licensed or regulated by sections
22 190.100 to 190.245 who is not licensed and currently eligible to
23 practice pursuant to sections 190.100 to 190.245;

24 (11) Issuance of a certificate, permit or license based
25 upon a material mistake of fact;

26 (12) Violation of any professional trust, confidence, or
27 legally protected privacy rights of a patient by means of an
28 unauthorized or unlawful disclosure;

1 (13) Use of any advertisement or solicitation which is
2 false, misleading or deceptive to the general public or persons
3 to whom the advertisement or solicitation is primarily directed;

4 (14) Violation of the drug laws or rules and regulations of
5 this state, any other state or the federal government;

6 (15) Refusal of any applicant or licensee to respond to
7 reasonable department of health and senior services' requests for
8 necessary information to process an application or to determine
9 license status or license eligibility;

10 (16) Any conduct or practice which is or might be harmful
11 or dangerous to the mental or physical health or safety of a
12 patient or the public;

13 (17) Repeated acts of negligence or recklessness in the
14 performance of the functions or duties of any activity licensed
15 or regulated by sections 190.100 to 190.245.

16 3. If the department conducts investigations, the
17 department, prior to interviewing a licensee who is the subject
18 of the investigation, shall explain to the licensee that he or
19 she has the right to:

20 (1) Consult legal counsel or have legal counsel present;

21 (2) Have anyone present whom he or she deems to be
22 necessary or desirable[, except for any holder of any
23 certificate, permit, or license required by sections 190.100 to
24 190.245]; and

25 (3) Refuse to answer any question or refuse to provide or
26 sign any written statement.

27
28 The assertion of any right listed in this subsection shall not be

1 deemed by the department to be a failure to cooperate with any
2 department investigation.

3 4. After the filing of such complaint, the proceedings
4 shall be conducted in accordance with the provisions of chapter
5 621. Upon a finding by the administrative hearing commission
6 that the grounds, provided in subsection 2 of this section, for
7 disciplinary action are met, the department may, singly or in
8 combination, censure or place the person named in the complaint
9 on probation on such terms and conditions as the department deems
10 appropriate for a period not to exceed five years, or may
11 suspend, for a period not to exceed three years, or revoke the
12 license, certificate or permit. Notwithstanding any provision of
13 law to the contrary, the department shall be authorized to impose
14 a suspension or revocation as a disciplinary action only if it
15 first files the requisite complaint with the administrative
16 hearing commission. The administrative hearing commission shall
17 hear all relevant evidence on remediation activities of the
18 licensee and shall make a recommendation to the department of
19 health and senior services as to licensure disposition based on
20 such evidence.

21 5. An individual whose license has been revoked shall wait
22 one year from the date of revocation to apply for relicensure.
23 Relicensure shall be at the discretion of the department after
24 compliance with all the requirements of sections 190.100 to
25 190.245 relative to the licensing of an applicant for the first
26 time. Any individual whose license has been revoked twice within
27 a ten-year period shall not be eligible for relicensure.

28 6. The department may notify the proper licensing authority

1 of any other state in which the person whose license was
2 suspended or revoked was also licensed of the suspension or
3 revocation.

4 7. Any person, organization, association or corporation who
5 reports or provides information to the department pursuant to the
6 provisions of sections 190.100 to 190.245 and who does so in good
7 faith shall not be subject to an action for civil damages as a
8 result thereof.

9 8. The department of health and senior services may suspend
10 any certificate, permit or license required pursuant to sections
11 190.100 to 190.245 simultaneously with the filing of the
12 complaint with the administrative hearing commission as set forth
13 in subsection 2 of this section, if the department finds that
14 there is an imminent threat to the public health. The notice of
15 suspension shall include the basis of the suspension and notice
16 of the right to appeal such suspension. The licensee may appeal
17 the decision to suspend the license, certificate or permit to the
18 department. The appeal shall be filed within ten days from the
19 date of the filing of the complaint. A hearing shall be
20 conducted by the department within ten days from the date the
21 appeal is filed. The suspension shall continue in effect until
22 the conclusion of the proceedings, including review thereof,
23 unless sooner withdrawn by the department, dissolved by a court
24 of competent jurisdiction or stayed by the administrative hearing
25 commission.

26 252.069. Any agent of the conservation commission may
27 enforce the provisions of sections 577.070 and 577.080 and arrest
28 violators only upon the water, the banks thereof, or upon public

1 land.

2 302.441. 1. If a person is required to have an ignition
3 interlock device installed on such person's vehicle, he or she
4 may apply to the court for an employment exemption variance to
5 allow him or her to drive an employer-owned vehicle not equipped
6 with an ignition interlock device for employment purposes only.
7 Such exemption shall not be granted to a person who is
8 self-employed or who wholly or partially owns or controls an
9 entity that owns an employer-owned vehicle.

10 2. A person who is granted an employment exemption variance
11 under subsection 1 of this section shall not drive, operate, or
12 be in physical control of an employer-owned vehicle used for
13 transporting children under eighteen years of age or vulnerable
14 persons, as defined in section 630.005, or an employer-owned
15 vehicle for personal use.

16 488.5320. 1. Sheriffs, county marshals or other officers
17 shall be allowed a charge for their services rendered in criminal
18 cases and in all proceedings for contempt or attachment, as
19 required by law, the sum of seventy-five dollars for each felony
20 case or contempt or attachment proceeding, ten dollars for each
21 misdemeanor case, and six dollars for each infraction, including
22 cases disposed of by a violations bureau established pursuant to
23 law or supreme court rule. Such charges shall be charged and
24 collected in the manner provided by sections 488.010 to 488.020
25 and shall be payable to the county treasury; except that, those
26 charges from cases disposed of by a violations bureau shall be
27 distributed as follows: one-half of the charges collected shall
28 be forwarded and deposited to the credit of the MODEX fund

1 established in subsection 6 of this section for the operational
2 cost of the Missouri data exchange (MODEX) system, and one-half
3 of the charges collected shall be deposited to the credit of the
4 inmate security fund, established in section 488.5026, of the
5 county or municipal political subdivision from which the citation
6 originated. If the county or municipal political subdivision has
7 not established an inmate security fund, all of the funds shall
8 be deposited in the MODEX fund.

9 2. [Notwithstanding subsection 1 of this section to the
10 contrary, sheriffs, county marshals, or other officers in any
11 county with a charter form of government and with more than nine
12 hundred fifty thousand inhabitants or in any city not within a
13 county shall not be allowed a charge for their services rendered
14 in cases disposed of by a violations bureau established pursuant
15 to law or supreme court rule.

16 3.] The sheriff receiving any charge pursuant to subsection
17 1 of this section shall reimburse the sheriff of any other county
18 or the City of St. Louis the sum of three dollars for each
19 pleading, writ, summons, order of court or other document served
20 in connection with the case or proceeding by the sheriff of the
21 other county or city, and return made thereof, to the maximum
22 amount of the total charge received pursuant to subsection 1 of
23 this section.

24 [4.] 3. The charges provided in subsection 1 of this
25 section shall be taxed as other costs in criminal proceedings
26 immediately upon a plea of guilty or a finding of guilt of any
27 defendant in any criminal procedure. The clerk shall tax all the
28 costs in the case against such defendant, which shall be

1 collected and disbursed as provided by sections 488.010 to
2 488.020; provided, that no such charge shall be collected in any
3 proceeding in any court when the proceeding or the defendant has
4 been dismissed by the court; provided further, that all costs,
5 incident to the issuing and serving of writs of scire facias and
6 of writs of fieri facias, and of attachments for witnesses of
7 defendant, shall in no case be paid by the state, but such costs
8 incurred under writs of fieri facias and scire facias shall be
9 paid by the defendant and such defendant's sureties, and costs
10 for attachments for witnesses shall be paid by such witnesses.

11 [5.] 4. Mileage shall be reimbursed to sheriffs, county
12 marshals and guards for all services rendered pursuant to this
13 section at the rate prescribed by the Internal Revenue Service
14 for allowable expenses for motor vehicle use expressed as an
15 amount per mile.

16 [6.] 5. (1) There is hereby created in the state treasury
17 the "MODEX Fund", which shall consist of money collected under
18 subsection 1 of this section. The fund shall be administered by
19 the peace officers standards and training commission established
20 in section 590.120. The state treasurer shall be custodian of
21 the fund. In accordance with sections 30.170 and 30.180, the
22 state treasurer may approve disbursements. The fund shall be a
23 dedicated fund and, upon appropriation, money in the fund shall
24 be used solely for the operational support and expansion of the
25 MODEX system.

26 (2) Notwithstanding the provisions of section 33.080 to the
27 contrary, any moneys remaining in the fund at the end of the
28 biennium shall not revert to the credit of the general revenue

1 fund.

2 (3) The state treasurer shall invest moneys in the fund in
3 the same manner as other funds are invested. Any interest and
4 moneys earned on such investments shall be credited to the fund.

5 6. The MODEX fund may accept funds from federal, state,
6 local, and private entities which utilize the information from
7 the fund to fight fraud and other activities which are in the
8 best interest of law enforcement or the state of Missouri.

9 7. Any information in MODEX which is open under the
10 provisions of chapter 610 is considered open and is not Criminal
11 Justice Information Services data. Any information in MODEX may
12 be shared with any other law enforcement agency, division, or
13 department of the state of Missouri, or other entity approved by
14 the peace officer standards and training commission, for the
15 purpose of anti-fraud efforts.

16 513.653. 1. Law enforcement agencies involved in using the
17 federal forfeiture system under federal law shall file a report
18 regarding federal seizures and the proceeds therefrom. Such
19 report shall be filed annually by ~~January thirty-first~~ February
20 fifteenth for the previous calendar year with the ~~department of~~
21 ~~public safety and the~~ state auditor's office. The report for
22 the calendar year shall ~~include the type and value of items~~
23 ~~seized and turned over to the federal forfeiture system, the~~
24 ~~beginning balance as of January first of federal forfeiture funds~~
25 ~~or assets previously received and not expended or used, the~~
26 ~~proceeds received from the federal government (the equitable~~
27 ~~sharing amount), the expenditures resulting from the proceeds~~
28 ~~received, and the ending balance as of December thirty-first of~~

1 federal forfeiture funds or assets on hand. The department of
2 public safety shall not issue funds to any law enforcement agency
3 that fails to comply with the provisions of this section] consist
4 of a copy of the federal form entitled "ACA Form - Equitable
5 Sharing Agreement and Certification" which is identical to the
6 form submitted in that year to the federal government.

7 2. [Intentional] Any law enforcement agency that
8 intentionally or [knowing failure] knowingly fails to comply with
9 the reporting requirement contained in this section shall be [a
10 class A misdemeanor, punishable by a fine of up to one thousand
11 dollars] ineligible to receive state or federal funds which would
12 otherwise be paid to such agency for law enforcement, safety, or
13 criminal justice purposes.

14 544.671. Notwithstanding any supreme court rule or judicial
15 ruling to the contrary, no defendant under a sentence of death or
16 imprisonment in the penitentiary for life, or any sentence of
17 imprisonment for a violation of section 579.065, 565.021, [or]
18 565.050, 565.052 in which the victim is a law enforcement
19 officer, firefighter, or emergency medical service provider
20 assaulted in the performance of his or her official duties or as
21 a direct result of such official duties, 565.054 in which the
22 victim is a law enforcement officer, firefighter, or emergency
23 medical service provider assaulted in the performance of his or
24 her official duties or as a direct result of such official
25 duties, 565.056 in which the victim is a law enforcement officer,
26 firefighter, or emergency medical service provider assaulted in
27 the performance of his or her official duties or as a direct
28 result of such official duties, section 566.030, 566.032,

1 566.040, 566.060, 566.062, 566.070, or 566.100, and no defendant
2 who has pled guilty to or been found guilty of any felony sexual
3 offense under chapter 566, where the victim was less than
4 seventeen years of age at the time the crime was committed, any
5 sexual offense under chapter 568, where the victim was less than
6 seventeen years of age at the time the crime was committed, or
7 any pornographic offense involving a minor as set forth in
8 sections 573.023, 573.025, 573.035, and 573.037, and any felony
9 violation of section 573.040, shall be entitled to bail pending
10 appeal after June 29, 1994. Pursuant to the prerogative of the
11 general assembly to declare the public policy of this state in
12 matters regarding criminal liability of persons and to enact laws
13 relating to judicial procedure, the general assembly declares
14 that subsequent to June 29, 1994, no person shall be entitled to
15 bail or continuation of bail pursuant to section 547.170 if that
16 person is under a sentence of death or imprisonment in the
17 penitentiary for life, or any sentence of imprisonment for a
18 violation of section 579.065, 565.021, [or] 565.050, 565.052 in
19 which the victim is a law enforcement officer, firefighter, or
20 emergency medical service provider assaulted in the performance
21 of his or her official duties or as a direct result of such
22 official duties, 565.054 in which the victim is a law enforcement
23 officer, firefighter, or emergency medical service provider
24 assaulted in the performance of his or her official duties or as
25 a direct result of such official duties, 565.056 in which the
26 victim is a law enforcement officer, firefighter, or emergency
27 medical service provider assaulted in the performance of his or
28 her official duties or as a direct result of such official

1 duties, section 566.030, 566.032, 566.040, 566.060, 566.062,
2 566.070, or 566.100, and no defendant who has pled guilty to or
3 been found guilty of any felony sexual offense under chapter 566,
4 where the victim was less than seventeen years of age at the time
5 the crime was committed, any sexual offense under chapter 568,
6 where the victim was less than seventeen years of age at the time
7 the crime was committed, or any pornographic offense involving a
8 minor as set forth in sections 573.023, 573.025, 573.035, and
9 573.037, and any felony violation of section 573.040.

10 565.050. 1. A person commits the offense of assault in the
11 first degree if he or she attempts to kill or knowingly causes or
12 attempts to cause serious physical injury to another person.

13 2. The offense of assault in the first degree is a class B
14 felony unless in the course thereof the person inflicts serious
15 physical injury on the victim, or if the victim of such assault
16 is a special victim, as the term "special victim" is defined
17 under section 565.002, in which case it is a class A felony.

18 3. Persons found guilty under this section shall not be
19 eligible for probation or parole if the victim was a law
20 enforcement officer, firefighter, or emergency medical service
21 provider assaulted in the performance of his or her official
22 duties or as a direct result of such official duties.

23 565.052. 1. A person commits the offense of assault in the
24 second degree if he or she:

25 (1) Attempts to kill or knowingly causes or attempts to
26 cause serious physical injury to another person under the
27 influence of sudden passion arising out of adequate cause; or

28 (2) Attempts to cause or knowingly causes physical injury

1 to another person by means of a deadly weapon or dangerous
2 instrument; or

3 (3) Recklessly causes serious physical injury to another
4 person; or

5 (4) Recklessly causes physical injury to another person by
6 means of discharge of a firearm.

7 2. The defendant shall have the burden of injecting the
8 issue of influence of sudden passion arising from adequate cause
9 under subdivision (1) of subsection 1 of this section.

10 3. The offense of assault in the second degree is a class D
11 felony, unless the victim of such assault is a special victim, as
12 the term "special victim" is defined under section 565.002, in
13 which case it is a class B felony.

14 4. Persons found guilty under this section shall not be
15 eligible for probation or parole if the victim was a law
16 enforcement officer, firefighter, or emergency medical service
17 provider assaulted in the performance of his or her official
18 duties or as a direct result of such official duties.

19 565.054. 1. A person commits the offense of assault in the
20 third degree if he or she knowingly causes physical injury to
21 another person.

22 2. The offense of assault in the third degree is a class E
23 felony, unless the victim of such assault is a special victim, as
24 the term "special victim" is defined under section 565.002, in
25 which case it is a class D felony.

26 3. Persons found guilty under this section shall not be
27 eligible for probation or parole if the victim was a law
28 enforcement officer, firefighter, or emergency medical service

provider assaulted in the performance of his or her official
duties or as a direct result of such official duties.

565.056. 1. A person commits the offense of assault in the
fourth degree if:

(1) The person attempts to cause or recklessly causes
physical injury, physical pain, or illness to another person;

(2) With criminal negligence the person causes physical
injury to another person by means of a firearm;

(3) The person purposely places another person in
apprehension of immediate physical injury;

(4) The person recklessly engages in conduct which creates
a substantial risk of death or serious physical injury to another
person;

(5) The person knowingly causes or attempts to cause
physical contact with a person with a disability, which a
reasonable person, who does not have a disability, would consider
offensive or provocative; or

(6) The person knowingly causes physical contact with
another person knowing the other person will regard the contact
as offensive or provocative.

2. Except as provided in subsection 3 of this section,
assault in the fourth degree is a class A misdemeanor.

3. Violation of the provisions of subdivision (3) or (6) of
subsection 1 of this section is a class C misdemeanor unless the
victim is a special victim, as the term "special victim" is
defined under section 565.002, in which case a violation of such
provisions is a class A misdemeanor.

4. Persons found guilty under this section shall not be

1 eligible for probation or parole if the victim was a law
2 enforcement officer, firefighter, or emergency medical service
3 provider assaulted in the performance of his or her official
4 duties or as a direct result of such official duties.

5 575.150. 1. A person commits the offense of resisting or
6 interfering with arrest, detention, or stop if he or she knows or
7 reasonably should know that a law enforcement officer is making
8 an arrest or attempting to lawfully detain or stop an individual
9 or vehicle, and for the purpose of preventing the officer from
10 effecting the arrest, stop or detention, he or she:

11 (1) Resists the arrest, stop or detention of such person by
12 using or threatening the use of violence or physical force or by
13 fleeing from such officer; or

14 (2) Interferes with the arrest, stop or detention of
15 another person by using or threatening the use of violence,
16 physical force or physical interference.

17 2. This section applies to:

18 (1) Arrests, stops, or detentions, with or without
19 warrants;

20 (2) Arrests, stops, or detentions, for any offense,
21 infraction, or ordinance violation; and

22 (3) Arrests for warrants issued by a court or a probation
23 and parole officer.

24 3. A person is presumed to be fleeing a vehicle stop if he
25 or she continues to operate a motor vehicle after he or she has
26 seen or should have seen clearly visible emergency lights or has
27 heard or should have heard an audible signal emanating from the
28 law enforcement vehicle pursuing him or her.

1 4. It is no defense to a prosecution pursuant to subsection
2 1 of this section that the law enforcement officer was acting
3 unlawfully in making the arrest. However, nothing in this
4 section shall be construed to bar civil suits for unlawful
5 arrest.

6 5. The offense of resisting or interfering with an arrest
7 is a class E felony for an arrest for a:

8 (1) Felony;

9 (2) Warrant issued for failure to appear on a felony case;
10 or

11 (3) Warrant issued for a probation violation on a felony
12 case.

13
14 The offense of resisting an arrest, detention or stop in
15 violation of subdivision (1) or (2) of subsection 1 of this
16 section is a class A misdemeanor, unless the person fleeing
17 creates a substantial risk of serious physical injury or death to
18 any person, in which case it is a class E felony.

19 6. Persons found guilty under this section shall not be
20 eligible for probation or parole.

21 590.1040. 1. For purposes of this section, the following
22 terms mean:

23 (1) "Emergency services personnel", any employee or
24 volunteer of an emergency services provider who is engaged in
25 providing or supporting firefighting, dispatching services, and
26 emergency medical services;

27 (2) "Emergency services provider", any public employer that
28 employs persons to provide firefighting, dispatching services,

1 and emergency medical services;

2 (3) "Employee assistance program", a program established by
3 a law enforcement agency or emergency services provider to
4 provide professional counseling or support services to employees
5 of a law enforcement agency, emergency services provider, or a
6 professional mental health provider associated with a peer
7 support team;

8 (4) "Law enforcement agency", any public agency that
9 employs law enforcement personnel;

10 (5) "Law enforcement personnel", any person who by virtue
11 of office or public employment is vested by law with a duty to
12 maintain public order or to make arrests for violation of the
13 laws of the state of Missouri or ordinances of any municipality
14 thereof, or with a duty to maintain or assert custody or
15 supervision over persons accused or convicted of a crime, while
16 acting within the scope of his or her authority as an employee or
17 volunteer of a law enforcement agency;

18 (6) "Peer support counseling session", any session
19 conducted by a peer support specialist that is called or
20 requested in response to a critical incident or traumatic event
21 involving the personnel of the law enforcement agency or
22 emergency services provider;

23 (7) "Peer support specialist", a person who:

24 (a) Is designated by a law enforcement agency, emergency
25 services provider, employee assistance program, or peer support
26 team leader to lead, moderate, or assist in a peer support
27 counseling session;

28 (b) Is a member of a peer support team; and

1 (c) Has received training in counseling and providing
2 emotional and moral support to law enforcement officers or
3 emergency services personnel who have been involved in
4 emotionally traumatic incidents by reason of his or her
5 employment;

6 (8) "Peer support team", a group of peer support
7 specialists serving one or more law enforcement providers or
8 emergency services providers.

9 2. Any communication made by a participant or peer support
10 specialist in a peer support counseling session, and any oral or
11 written information conveyed in or as the result of a peer
12 support counseling session, are confidential and may not be
13 disclosed by any person participating in the peer support
14 counseling session.

15 3. Any communication relating to a peer support counseling
16 session that is made between peer support specialists, between
17 peer support specialists and the supervisors or staff of an
18 employee assistance program, or between the supervisors or staff
19 of an employee assistance program, is confidential and may not be
20 disclosed.

21 4. The provisions of this section shall apply only to peer
22 support counseling sessions conducted by a peer support
23 specialist.

24 5. The provisions of this section shall apply to all oral
25 communications, notes, records, and reports arising out of a peer
26 support counseling session. Any notes, records or reports
27 arising out of a peer support counseling session shall not be
28 public records and shall not be subject to the provisions of

1 chapter 610. Nothing in this section limits the discovery or
2 introduction into evidence of knowledge acquired by any law
3 enforcement personnel or emergency services personnel from
4 observation made during the course of employment, or material or
5 information acquired during the course of employment, that is
6 otherwise subject to discovery or introduction into evidence.

7 6. The provisions of this section shall not apply to any:

8 (1) Threat of suicide or criminal act made by a participant
9 in a peer support counseling session, or any information conveyed
10 in a peer support counseling session relating to a threat of
11 suicide or criminal act;

12 (2) Information relating to abuse of spouses, children, or
13 the elderly, or other information that is required to be reported
14 by law;

15 (3) Admission of criminal conduct;

16 (4) Disclosure of testimony by a participant who received
17 peer support counseling services and expressly consented to such
18 disclosure; or

19 (5) Disclosure of testimony by the surviving spouse or
20 executor or administrator of the estate of a deceased participant
21 who received peer support counseling services and such surviving
22 spouse or executor or administrator expressly consented to such
23 disclosure.

24 7. The provisions of this section shall not prohibit any
25 communications between peer support specialists who conduct peer
26 support counseling sessions or any communications between peer
27 support specialists and the supervisors or staff of an employee
28 assistance program.

1 8. The provisions of this section shall not prohibit
2 communications regarding fitness of an employee for duty between
3 an employee assistance program and an employer.

4 650.055. 1. Every individual who:

5 (1) Is found guilty of a felony or any offense under
6 chapter 566; or

7 (2) Is seventeen years of age or older and arrested for
8 [burglary in the first degree under section 569.160, or burglary
9 in the second degree under section 569.170, or] a felony offense
10 [under chapter 565, 566, 567, 568, or 573]; or

11 (3) Has been determined to be a sexually violent predator
12 pursuant to sections 632.480 to 632.513; or

13 (4) Is an individual required to register as a sexual
14 offender under sections 589.400 to 589.425;
15 shall have a fingerprint and blood or scientifically accepted
16 biological sample collected for purposes of DNA profiling
17 analysis.

18 2. Any individual subject to DNA collection and profiling
19 analysis under this section shall provide a DNA sample:

20 (1) Upon booking at a county jail or detention facility; or

21 (2) Upon entering or before release from the department of
22 corrections reception and diagnostic centers; or

23 (3) Upon entering or before release from a county jail or
24 detention facility, state correctional facility, or any other
25 detention facility or institution, whether operated by a private,
26 local, or state agency, or any mental health facility if
27 committed as a sexually violent predator pursuant to sections
28 632.480 to 632.513; or

1 (4) When the state accepts a person from another state
2 under any interstate compact, or under any other reciprocal
3 agreement with any county, state, or federal agency, or any other
4 provision of law, whether or not the person is confined or
5 released, the acceptance is conditional on the person providing a
6 DNA sample if the person was found guilty of a felony offense in
7 any other jurisdiction; or

8 (5) If such individual is under the jurisdiction of the
9 department of corrections. Such jurisdiction includes persons
10 currently incarcerated, persons on probation, as defined in
11 section 217.650, and on parole, as also defined in section
12 217.650; or

13 (6) At the time of registering as a sex offender under
14 sections 589.400 to 589.425.

15 3. The Missouri state highway patrol and department of
16 corrections shall be responsible for ensuring adherence to the
17 law. Any person required to provide a DNA sample pursuant to
18 this section shall be required to provide such sample, without
19 the right of refusal, at a collection site designated by the
20 Missouri state highway patrol and the department of corrections.
21 Authorized personnel collecting or assisting in the collection of
22 samples shall not be liable in any civil or criminal action when
23 the act is performed in a reasonable manner. Such force may be
24 used as necessary to the effectual carrying out and application
25 of such processes and operations. The enforcement of these
26 provisions by the authorities in charge of state correctional
27 institutions and others having custody or jurisdiction over
28 individuals included in subsection 1 of this section which shall

1 not be set aside or reversed is hereby made mandatory. The board
2 of probation or parole shall recommend that an individual on
3 probation or parole who refuses to provide a DNA sample have his
4 or her probation or parole revoked. In the event that a person's
5 DNA sample is not adequate for any reason, the person shall
6 provide another sample for analysis.

7 4. The procedure and rules for the collection, analysis,
8 storage, expungement, use of DNA database records and privacy
9 concerns shall not conflict with procedures and rules applicable
10 to the Missouri DNA profiling system and the Federal Bureau of
11 Investigation's DNA databank system.

12 5. Unauthorized use or dissemination of individually
13 identifiable DNA information in a database for purposes other
14 than criminal justice or law enforcement is a class A
15 misdemeanor.

16 6. Implementation of sections 650.050 to 650.100 shall be
17 subject to future appropriations to keep Missouri's DNA system
18 compatible with the Federal Bureau of Investigation's DNA
19 databank system.

20 7. All DNA records and biological materials retained in the
21 DNA profiling system are considered closed records pursuant to
22 chapter 610. All records containing any information held or
23 maintained by any person or by any agency, department, or
24 political subdivision of the state concerning an individual's DNA
25 profile shall be strictly confidential and shall not be
26 disclosed, except to:

27 (1) Peace officers, as defined in section 590.010, and
28 other employees of law enforcement agencies who need to obtain

1 such records to perform their public duties;

2 (2) The attorney general or any assistant attorneys general
3 acting on his or her behalf, as defined in chapter 27;

4 (3) Prosecuting attorneys or circuit attorneys as defined
5 in chapter 56, and their employees who need to obtain such
6 records to perform their public duties;

7 (4) The individual whose DNA sample has been collected, or
8 his or her attorney; or

9 (5) Associate circuit judges, circuit judges, judges of the
10 courts of appeals, supreme court judges, and their employees who
11 need to obtain such records to perform their public duties.

12 8. Any person who obtains records pursuant to the
13 provisions of this section shall use such records only for
14 investigative and prosecutorial purposes, including but not
15 limited to use at any criminal trial, hearing, or proceeding; or
16 for law enforcement identification purposes, including
17 identification of human remains. Such records shall be
18 considered strictly confidential and shall only be released as
19 authorized by this section.

20 9. An individual may request expungement of his or her DNA
21 sample and DNA profile through the court issuing the reversal or
22 dismissal. A certified copy of the court order establishing that
23 such conviction has been reversed or guilty plea has been set
24 aside shall be sent to the Missouri state highway patrol crime
25 laboratory. Upon receipt of the court order, the laboratory will
26 determine that the requesting individual has no other qualifying
27 offense as a result of any separate plea or conviction and no
28 other qualifying arrest prior to expungement.

1 (1) A person whose DNA record or DNA profile has been
2 included in the state DNA database in accordance with this
3 section and sections 650.050, 650.052, and 650.100 may request
4 expungement on the grounds that the conviction has been reversed,
5 or the guilty plea on which the authority for including that
6 person's DNA record or DNA profile was based has been set aside.

7 (2) Upon receipt of a written request for expungement, a
8 certified copy of the final court order reversing the conviction
9 or setting aside the plea and any other information necessary to
10 ascertain the validity of the request, the Missouri state highway
11 patrol crime laboratory shall expunge all DNA records and
12 identifiable information in the state DNA database pertaining to
13 the person and destroy the DNA sample of the person, unless the
14 Missouri state highway patrol determines that the person is
15 otherwise obligated to submit a DNA sample. Within thirty days
16 after the receipt of the court order, the Missouri state highway
17 patrol shall notify the individual that it has expunged his or
18 her DNA sample and DNA profile, or the basis for its
19 determination that the person is otherwise obligated to submit a
20 DNA sample.

21 (3) The Missouri state highway patrol is not required to
22 destroy any item of physical evidence obtained from a DNA sample
23 if evidence relating to another person would thereby be
24 destroyed.

25 (4) Any identification, warrant, arrest, or evidentiary use
26 of a DNA match derived from the database shall not be excluded or
27 suppressed from evidence, nor shall any conviction be invalidated
28 or reversed or plea set aside due to the failure to expunge or a

1 delay in expunging DNA records.

2 10. When a DNA sample is taken from an individual pursuant
3 to subdivision (2) of subsection 1 of this section and the
4 prosecutor declines prosecution and notifies the arresting agency
5 of that decision, the arresting agency shall notify the Missouri
6 state highway patrol crime laboratory within ninety days of
7 receiving such notification. Within thirty days of being
8 notified by the arresting agency that the prosecutor has declined
9 prosecution, the Missouri state highway patrol crime laboratory
10 shall determine whether the individual has any other qualifying
11 offenses or arrests that would require a DNA sample to be taken
12 and retained. If the individual has no other qualifying offenses
13 or arrests, the crime laboratory shall expunge all DNA records in
14 the database taken at the arrest for which the prosecution was
15 declined pertaining to the person and destroy the DNA sample of
16 such person.

17 11. When a DNA sample is taken of an arrestee for any
18 offense listed under subsection 1 of this section and charges are
19 filed:

20 (1) If the charges are later withdrawn, the prosecutor
21 shall notify the state highway patrol crime laboratory that such
22 charges have been withdrawn;

23 (2) If the case is dismissed, the court shall notify the
24 state highway patrol crime laboratory of such dismissal;

25 (3) If the court finds at the preliminary hearing that
26 there is no probable cause that the defendant committed the
27 offense, the court shall notify the state highway patrol crime
28 laboratory of such finding;

1 (4) If the defendant is found not guilty, the court shall
2 notify the state highway patrol crime laboratory of such verdict.
3 If the state highway patrol crime laboratory receives notice
4 under this subsection, such crime laboratory shall determine,
5 within thirty days, whether the individual has any other
6 qualifying offenses or arrests that would require a DNA sample to
7 be taken. If the individual has no other qualifying arrests or
8 offenses, the crime laboratory shall expunge all DNA records in
9 the database pertaining to such person and destroy the person's
10 DNA sample.

11 650.330. 1. The committee for 911 service oversight shall
12 consist of sixteen members, one of which shall be chosen from the
13 department of public safety who shall serve as chair of the
14 committee and only vote in the instance of a tie vote among the
15 other members, and the other members shall be selected as
16 follows:

17 (1) One member chosen to represent an association domiciled
18 in this state whose primary interest relates to counties;

19 (2) One member chosen to represent the Missouri public
20 service commission;

21 (3) One member chosen to represent emergency medical
22 services;

23 (4) One member chosen to represent an association with a
24 chapter domiciled in this state whose primary interest relates to
25 a national emergency number;

26 (5) One member chosen to represent an association whose
27 primary interest relates to issues pertaining to fire chiefs;

28 (6) One member chosen to represent an association with a

chapter domiciled in this state whose primary interest relates to issues pertaining to public safety communications officers;

(7) One member chosen to represent an association whose primary interest relates to issues pertaining to police chiefs;

(8) One member chosen to represent a league or association domiciled in this state whose primary interest relates to issues pertaining to municipalities;

(9) One member chosen to represent an association domiciled in this state whose primary interest relates to issues pertaining to sheriffs;

(10) One member chosen to represent 911 service providers in counties of the second, third and fourth classification;

(11) One member chosen to represent 911 service providers in counties of the first classification, with and without charter forms of government, and cities not within a county;

(12) One member chosen to represent telecommunications service providers with at least one hundred thousand access lines located within Missouri;

(13) One member chosen to represent telecommunications service providers with less than one hundred thousand access lines located within Missouri;

(14) One member chosen to represent a professional association of physicians who conduct with emergency care; and

(15) One member chosen to represent the general public of Missouri who represents an association whose primary interest relates to education and training, including that of 911, police and fire dispatchers.

2. Each of the members of the committee for 911 service

1 oversight shall be appointed by the governor with the advice and
2 consent of the senate for a term of four years; except that, of
3 those members first appointed, four members shall be appointed to
4 serve for one year, four members shall be appointed to serve for
5 two years, four members shall be appointed to serve for three
6 years and four members shall be appointed to serve for four
7 years. Members of the committee may serve multiple terms.

8 3. The committee for 911 service oversight shall meet at
9 least quarterly at a place and time specified by the chairperson
10 of the committee and it shall keep and maintain records of such
11 meetings, as well as the other activities of the committee.
12 Members shall not be compensated but shall receive actual and
13 necessary expenses for attending meetings of the committee.

14 4. The committee for 911 service oversight shall:

15 (1) Organize and adopt standards governing the committee's
16 formal and informal procedures;

17 (2) Provide recommendations for primary answering points
18 and secondary answering points on statewide technical and
19 operational standards for 911 services;

20 (3) Provide recommendations to public agencies concerning
21 model systems to be considered in preparing a 911 service plan;

22 (4) Provide requested mediation services to political
23 subdivisions involved in jurisdictional disputes regarding the
24 provision of 911 services, except that such committee shall not
25 supersede decision-making authority of local political
26 subdivisions in regard to 911 services;

27 (5) Provide assistance to the governor and the general
28 assembly regarding 911 services;

1 (6) Review existing and proposed legislation and make
2 recommendations as to changes that would improve such
3 legislation;

4 (7) Aid and assist in the timely collection and
5 dissemination of information relating to the use of a universal
6 emergency telephone number;

7 (8) Perform other duties as necessary to promote successful
8 development, implementation and operation of 911 systems across
9 the state; [and]

10 (9) Designate a state 911 coordinator who shall be
11 responsible for overseeing statewide 911 operations and ensuring
12 compliance with federal grants for 911 funding; and

13 (10) Advise the department of public safety on establishing
14 rules and regulations necessary to administer the provisions of
15 sections 650.320 to 650.340.

16 5. The department of public safety shall provide staff
17 assistance to the committee for 911 service oversight as
18 necessary in order for the committee to perform its duties
19 pursuant to sections 650.320 to 650.340.

20 6. The department of public safety is authorized to adopt
21 those rules that are reasonable and necessary to accomplish the
22 limited duties specifically delegated within section 650.340.
23 Any rule or portion of a rule, as that term is defined in section
24 536.010, shall become effective only if it has been promulgated
25 pursuant to the provisions of chapter 536. This section and
26 chapter 536 are nonseverable and if any of the powers vested with
27 the general assembly pursuant to chapter 536 to review, to delay
28 the effective date or to disapprove and annul a rule are

1 subsequently held unconstitutional, then the grant of rulemaking
2 authority and any rule proposed or adopted after August 28, 1999,
3 shall be invalid and void.

4 650.520. 1. There is hereby created a statewide program
5 called the "Blue Alert System" referred to in this section as the
6 "system" to aid in the identification, location, and apprehension
7 of any individual or individuals suspected of killing or
8 seriously wounding any local, state, or federal law enforcement
9 officer.

10 2. For the purposes of this section, "law enforcement
11 officer" means any public servant having both the power and duty
12 to make arrests for violations of the laws of this state, and
13 federal law enforcement officers authorized to carry firearms and
14 to make arrests for violations of the laws of the United States.

15 3. The department of public safety shall develop regions to
16 provide the system. The department of public safety shall
17 coordinate local law enforcement agencies and public commercial
18 television and radio broadcasters to provide an effective system.
19 In the event that a local law enforcement agency opts not to set
20 up a system and a killing or serious wounding of a law
21 enforcement officer occurs within the jurisdiction, it shall
22 notify the department of public safety who will notify local
23 media in the region.

24 4. The blue alert system shall include all state agencies
25 capable of providing urgent and timely information to the public
26 together with broadcasters and other private entities that
27 volunteer to participate in the dissemination of urgent public
28 information. At a minimum, the blue alert system shall include

1 the department of public safety, highway patrol, department of
2 transportation, and Missouri lottery.

3 5. The department of public safety shall have the authority
4 to develop, implement, and manage the blue alert system.

5 6. Participation in a blue alert system is entirely at the
6 option of local law enforcement agencies, federally licensed
7 radio and television broadcasters, and other private entities
8 that volunteer to participate in the dissemination of urgent
9 public information.

10 7. Any person who knowingly makes a false report that
11 triggers an alert under this section is guilty of a class A
12 misdemeanor; except that, if the false report results in serious
13 physical injury or death, such person is guilty of a class E
14 felony.

15 8. The department of public safety may promulgate rules for
16 the implementation of the blue alert system. Any rule or portion
17 of a rule, as that term is defined in section 536.010, that is
18 created under the authority delegated in this section shall
19 become effective only if it complies with and is subject to all
20 of the provisions of chapter 536 and, if applicable, section
21 536.028. This section and chapter 536 are nonseverable, and if
22 any of the powers vested with the general assembly pursuant to
23 chapter 536 to review, to delay the effective date, or to
24 disapprove and annul a rule are subsequently held
25 unconstitutional, then the grant of rulemaking authority and any
26 rule proposed or adopted after August 28, 2017, shall be invalid
27 and void.

28 Section 1. 1. Notwithstanding any provision of law to the

1 contrary, any city of the fourth classification with more than
2 five thousand but fewer than five thousand five hundred
3 inhabitants and located in any county with a charter form of
4 government and with more than six hundred thousand but fewer than
5 seven hundred thousand inhabitants, may file with the fire
6 protection district's board of directors a notice of intention of
7 detachment stating the city's intent that the area located within
8 the city and the fire protection district, or a portion of such
9 area, is to be excluded and taken from the district. The filing
10 of a notice of intention of detachment shall be authorized by
11 ordinance and the city shall have first received petitions
12 requesting exclusion from the district signed by at least fifty-
13 seven percent of the owners of real property contained within the
14 area to be excluded and taken from the district. Such petition
15 shall be acknowledged in the same manner and form as required in
16 case of a conveyance of land. Such notice of intention of
17 detachment shall describe the subject area to be excluded from
18 the fire protection district in the form of a legal description
19 and map.

20 2. After filing the notice of intention of detachment with
21 the fire protection district, the city shall conduct a public
22 hearing on the notice of intention of detachment and give notice
23 by publication in a newspaper of general circulation qualified to
24 publish legal matters in the county where the subject area is
25 located, at least once a week for three consecutive weeks prior
26 to the hearing, with the last notice being not more than twenty
27 days and not less than ten days before the hearing. The hearing
28 may be continued to another date without further notice other

1 than a motion to be entered upon the minutes fixing the date,
2 time, and place of the subsequent hearing. At the public
3 hearing, the city shall present its reasons why it desires to
4 detach the subject area from the fire protection district and its
5 plan to provide or cause to be provided fire protection and
6 ambulance services to the subject area.

7 3. Following the public hearing, the governing body of the
8 city may by ordinance, which shall not become effective except by
9 the favorable vote of at least two-thirds of all the members of
10 the governing body of the city, approve the detachment of the
11 subject area from the fire protection district.

12 4. Upon duly enacting such detachment ordinance, the city
13 shall cause the same to be filed with the county assessor and the
14 clerk of the county wherein the city is located, and one copy to
15 be filed with the election authority, if different from the clerk
16 of the county which has jurisdiction over the area being
17 detached.

18 5. Upon the effective date of the ordinance, which may be
19 up to one year from the date of its passage and approval, the
20 fire protection district shall no longer provide or cause to be
21 provided fire protection and ambulance services to the subject
22 area and shall no longer levy and collect any tax upon the
23 property included within the detached area, provided that all
24 real property excluded from a fire protection district shall
25 thereafter be subject to the levy of taxes for the payment of any
26 indebtedness of the fire protection district outstanding as of
27 the ordinance's effective date; provided further, however, that
28 after any real property shall have been excluded from a fire

1 protection district, as provided in this section, any buildings
2 and improvements thereafter erected or constructed on said
3 excluded real property, and all machinery and equipment
4 thereafter installed or placed therein or thereon, and all
5 tangible personal property not in the fire protection district at
6 the time of the exclusion of the subject area from the fire
7 protection district which shall thereafter be situated on or used
8 in connection with subject area, shall not be subject to any
9 taxes levied by the fire protection district. Furthermore, the
10 city shall:

11 (1) On or before January first of the second calendar year
12 occurring after the date on which the property was detached from
13 the fire protection district, the city shall pay to the fire
14 protection district a fee equal to the amount of revenue which
15 would have been generated during the previous calendar year by
16 the fire protection district ad valorem tax on the property in
17 the area detached which was formerly a part of the fire
18 protection district;

19 (2) On or before January first of the third calendar year
20 occurring after the date on which the property was detached from
21 the fire protection district, the city shall pay to the fire
22 protection district a fee equal to four-fifths of the amount of
23 revenue which would have been generated during the previous
24 calendar year by the fire protection district ad valorem tax on
25 the property in the area detached which was formerly a part of
26 the fire protection district;

27 (3) On or before January first of the fourth calendar year
28 occurring after the date on which the property was detached from

1 the fire protection district, the city shall pay to the fire
2 protection district a fee equal to three-fifths of the amount of
3 revenue which would have been generated during the previous
4 calendar year by the fire protection district ad valorem tax on
5 the property in the area detached which was formerly a part of
6 the fire protection district;

7 (4) On or before January first of the fifth calendar year
8 occurring after the date on which the property was detached from
9 the fire protection district, the city shall pay to the fire
10 protection district a fee equal to two-fifths of the amount of
11 revenue which would have been generated during the previous
12 calendar year by the fire protection district ad valorem tax on
13 the property in the area detached which was formerly a part of
14 the fire protection district; and

15 (5) On or before January first of the sixth calendar year
16 occurring after the date on which the property was detached from
17 the fire protection district, the city shall pay to the fire
18 protection district a fee equal to one-fifth of the amount of
19 revenue which would have been generated during the previous
20 calendar year by the fire protection district ad valorem tax on
21 the property in the area detached which was formerly a part of
22 the fire protection district.

23 6. The provisions of this section shall not apply in any
24 county in which a boundary commission has been established
25 pursuant to section 72.400.

26 Section B. Because immediate action is necessary to allow
27 the sheriff of the city of St. Louis to appoint deputies as
28 expeditiously as possible for efficient performance of the

1 position, and to ensure the state is eligible to receive federal
2 911 grants and timely application for such grants is imperative,
3 and because immediate action is necessary to meet the
4 requirements of the Social Security Administration and to prevent
5 the expulsion of Missouri airport officers from the Social
6 Security Program, the repeal and reenactment of sections 57.450,
7 57.530, 86.207, and 650.330 of this act is deemed necessary for
8 the immediate preservation of the public health, welfare, peace,
9 and safety, and is hereby declared to be an emergency act within
10 the meaning of the constitution, and the repeal and reenactment
11 of sections 57.450, 57.530, 86.207, and 650.330 of this act shall
12 be in full force and effect upon its passage and approval.