

FIRST REGULAR SESSION

SENATE BILL NO. 547

98TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR RIDDLE.

Read 1st time February 26, 2015, and ordered printed.

ADRIANE D. CROUSE, Secretary.

2147S.02I

AN ACT

To repeal section 8.177, RSMo, and to enact in lieu thereof two new sections relating to the capitol police.

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

Section A. Section 8.177, RSMo, is repealed and two new sections enacted
2 in lieu thereof, to be known as sections 8.176 and 8.177, to read as follows:

**8.176. 1. There is established a permanent joint committee of the
2 general assembly to be known as the "Joint Committee on Capitol
3 Police" to be comprised of six members of the senate and six members
4 of the house of representatives. The senate members shall be appointed
5 by the president pro tempore of the senate and the house members
6 shall be appointed by the speaker of the house of
7 representatives. There shall be at least two members from the minority
8 party of the senate and at least two members from the minority party
9 of the house of representatives. The appointment of each member shall
10 continue during his or her term of office as a member of the general
11 assembly or until a successor has been duly appointed to fill his or her
12 place when his or her term of office as a member of the general
13 assembly has expired. The clerk of the house of representatives and
14 the secretary of the senate shall serve as ex officio members.**

**2. The general assembly by a majority vote of the elected
16 members may discharge any or all of the members of the committee at
17 any time and select their successors.**

**3. The joint committee on capitol police shall meet within ten
19 days after its creation and organize by selecting a chairman and a vice**

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

20 chairman, one of whom shall be a member of the senate and the other
21 a member of the house of representatives. The director of the
22 committee on legislative research shall serve as secretary to the
23 committee. The secretary shall keep the records of the committee, and
24 shall perform such other duties as may be directed by the committee.

25 4. The regular meetings of the committee shall be in Jefferson
26 City, Missouri, and after its inception and organization it shall
27 regularly meet at least once every six months. The committee may
28 close meetings or portions of meetings that relate to personnel matters
29 or information which, if disclosed, would impair the capitol police's
30 ability to protect the security and safety of persons or real property.

31 5. A majority of the members of the committee shall constitute
32 a quorum.

33 6. The members of the committee shall serve without
34 compensation but shall be entitled to reimbursement for actual and
35 necessary expenses incurred in the performance of their official duties.

36 7. The committee may, within the limits of its appropriation,
37 employ such personnel as it deems necessary; and the committee on
38 legislative research, within the limits of any appropriation made for
39 such purpose, shall supply to the joint committee on capitol police such
40 professional, technical, legal, stenographic, and clerical help as may be
41 necessary for it to perform its duties.

42 8. It shall be the duty of the committee to:

43 (1) Appoint a sufficient number of capitol police officers to carry
44 out the provisions of section 8.177;

45 (2) Determine the amount of appropriations necessary to fund
46 the capitol police;

47 (3) Recommend to the general assembly a chief of police for the
48 capitol police as provided for under section 8.177 and set the salary of
49 the chief;

50 (4) Oversee the operations of the capitol police; and

51 (5) Provide an annual performance review of the chief of police,
52 deputy chief of police, and the capitol police force as a whole.

53 9. The committee shall have the power to subpoena witnesses,
54 take testimony under oath, compel the attendance of witnesses, the
55 giving of testimony, and the production of records.

8.177. 1. The [director of the department of public safety] **general**

2 **assembly** shall employ Missouri capitol police officers for public safety at the
3 seat of state government. Each Missouri capitol police officer, upon appointment,
4 shall take and subscribe an oath of office to support the constitution and laws of
5 the United States and the state of Missouri and shall receive a certificate of
6 appointment, a copy of which shall be filed with the secretary of state, granting
7 such police officers all the same powers of arrest held by other police officers to
8 maintain order and preserve the peace [in all state-owned or leased buildings,
9 and the grounds thereof,] at the seat of government and such buildings and
10 grounds within the county which contains the seat of government.

11 2. The [director of the department of public safety] **joint committee on**
12 **capitol police** shall appoint a sufficient number of Missouri capitol police
13 officers, with available appropriations, as appropriated specifically for the
14 purpose designated in this subsection, so that the capitol grounds may be
15 patrolled at all times, and that traffic and parking upon the capitol grounds [and
16 the grounds of other state buildings owned or leased within the capital city and
17 the county which contains the seat of government] may be properly controlled
18 **and perform other duties to secure the capitol building and**
19 **grounds.** Missouri capitol police officers may make arrests for the violation of
20 parking and traffic regulations promulgated by the office of administration.

21 3. Missouri capitol police officers shall be authorized to arrest a person
22 anywhere in the county that contains the state seat of government, when there
23 is probable cause to believe the person committed a crime within capitol police
24 jurisdiction or when a person commits a crime in the presence of an on-duty
25 capitol police officer. **In the performance of their protective duties under**
26 **subsection 5 of this section, members of the capitol police are**
27 **authorized to make arrests anywhere in the state for any crime**
28 **committed in their presence, or for any felony offense if they have**
29 **probable cause to believe that the person to be arrested has committed**
30 **or is committing such felony.**

31 4. **The capitol police shall be headed by a chief who shall be**
32 **appointed to a four-year term by concurrent resolution of the general**
33 **assembly upon recommendation by the joint committee on capitol**
34 **police. No chief of the capitol police shall serve more than two full**
35 **terms. The chief shall:**

36 (1) **Prepare and submit to the joint committee on capitol police**
37 **an annual budget for the capitol police;**

38 (2) **Within available appropriations, establish an equitable pay**

39 **plan for capitol police officers taking into consideration ranks and**
40 **length of service;**

41 **(3) Establish a chain of command for the officers;**

42 **(4) Designate a deputy chief of police who shall assume all**
43 **powers of the chief when he or she is unable to act; and**

44 **(5) With the approval of the joint committee on capitol police,**
45 **employ the clerical staff, radio operators, and other help as he or she**
46 **deems necessary.**

47 **5. Subject to the direction of the joint committee on capitol**
48 **police, or in emergency situations the direction of the chief of the**
49 **capitol police, the capitol police are authorized to protect, in any area**
50 **of the state, nation, or internationally, the person of any member of the**
51 **general assembly or any statewide elected official except the governor,**
52 **and any spouse or child or stepchild of any such member or official, if**
53 **the joint committee on capitol police, or in emergency situations, the**
54 **chief of the capitol police, determines such protection to be necessary.**

55 **6. The chief of the capitol police is a conservator of the peace**
56 **within his or her jurisdiction and shall cause all offenders against law,**
57 **in his or her view, to enter into recognizance or cite to appear in the**
58 **nineteenth judicial circuit court. All charges brought against a**
59 **defendant arrested by a capitol police officer shall be prosecuted in the**
60 **nineteenth judicial circuit and such defendants shall be detained**
61 **pending disposition of the charge in the jail in the county that contains**
62 **the seat of government.**

63 **7. The chief and the deputy chief of the capitol police shall**
64 **complete at least twenty hours of classroom instruction each calendar**
65 **year from the professional association of the county sheriffs of**
66 **Missouri. All members and employees of the capitol police, except the**
67 **chief and deputy chief, shall be employed under the merit system of law**
68 **provided under chapter 36.**

69 **8. The capitol police shall use the records management system**
70 **of the professional association of the county sheriffs of Missouri and**
71 **the Missouri data exchange system.**

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