

FIRST REGULAR SESSION

[P E R F E C T E D]

SENATE BILL NO. 443

91ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR STAPLES.

Read 1st time February 8, 2001, and 1,000 copies ordered printed.

Read 2nd time February 12, 2001, and referred to the Committee on Civil and Criminal Jurisprudence.

Reported from the Committee March 5, 2001, with recommendation that the bill do pass and be placed on the Consent Calendar.

Taken up March 12, 2001. Read 3rd time and placed upon its final passage; bill passed.

TERRY L. SPIELER, Secretary.

1806S.01P

AN ACT

To repeal section 306.165, RSMo 2000, relating to water patrol officers, and to enact in lieu thereof one new section relating to the same subject with an emergency clause.

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

Section A. Section 306.165, RSMo 2000, is repealed and one new section enacted in lieu thereof, to be known as section 306.165, to read as follows:

306.165. Each water [patrolman] **patrol officer** appointed by the Missouri state water patrol and each of such other employees as may be designated by the patrol, before entering upon his **or her** duties, shall take and subscribe an oath of office to perform [his] **all** duties faithfully and impartially, and shall be given a certificate of appointment, a copy of which shall be filed with the secretary of state, granting him all the powers of a peace officer to enforce all laws of this state, upon all of the following:

- (1) The waterways of this state bordering the lands set forth in subdivisions (2), (3), (4), and (5) of this section;
- (2) All federal land, where not prohibited by federal law or regulation, and state land adjoining the waterways of this state;
- (3) All land within three hundred feet of the areas in subdivision (2) of this section;

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

(4) All land adjoining and within six hundred feet of any waters impounded in areas not covered in subdivision (2) with a shoreline in excess of four miles;

(5) All land adjoining and within six hundred feet of the rivers and streams of this state;

(6) Any other jurisdictional area, pursuant to the provisions of section 306.167.

Each water [patrolman] **patrol officer** may board any watercraft at any time, with probable cause, for the purpose of making any inspection necessary to determine compliance with the provisions of this chapter. Each water [patrolman] **patrol officer** may arrest on view[,] and without a warrant[,] any person he **or she** sees violating or who [he] **such patrol officer** has reasonable grounds to believe has violated any law of this state, upon any water or land area subject to his **or her** jurisdiction as provided in this section. [It is further provided that each water patrolman shall be bonded in like manner and amount as sheriffs under section 57.020, RSMo.] Each water [patrolman] **patrol officer** shall, within six months after receiving [his] **a** certificate of appointment, satisfactorily complete a law enforcement training course including six hundred hours of actual instruction conducted by a duly constituted law enforcement agency or any other school approved [under] **pursuant to** chapter 590, RSMo.

Section B. Because the effective patrol of Missouri's waters are important to this state, section 306.165 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section 306.165 of this act shall be in full force and effect upon its passage and approval.

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