

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 1213
91ST GENERAL ASSEMBLY

Reported from the Committee on Public Safety, Law Enforcement and Veteran Affairs, April 9, 2002, with recommendation that the House Committee Substitute for Senate Bill No. 1213 Do Pass.

TED WEDEL, Chief Clerk

4895L.03C

AN ACT

To repeal sections 388.610 and 388.640, RSMo, and to enact in lieu thereof two new sections relating to railroad corporations.

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

Section A. Sections 388.610 and 388.640, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 388.610 and 388.640, to read as follows:

388.610. The [superintendent of the Missouri state highway patrol] **director of the department of public safety** shall approve applications and appoint such railroad policemen as he deems proper, taking into consideration, among other things, the education, training and experience of each person so appointed concerning the powers of peace officers and the limitations on powers of peace officers in regard to the constitutional rights of citizens to be secure in their persons and property. Those approved [and], appointed, **and commissioned** by the [superintendent of the Missouri state highway patrol] **director of the department of public safety** shall be issued commissions by the [superintendent of the Missouri state highway patrol] **director of the department of public safety**, and each of them, before entering into the performance of his duties, shall subscribe before the clerk of a circuit court of this state, an oath in the form prescribed by section 11, article VII, of the constitution of this state, to support the constitution and laws of the United States and the state of Missouri, to faithfully demean himself in the office and to faithfully perform the duties of the office, and each of them shall enter into a surety bond in the sum of ten thousand dollars payable to the state of Missouri, conditioned upon the faithful performance of his duties. The executed oath of office, together with a copy of the commission and the bond, shall be filed with the [office

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

of the superintendent of the Missouri state highway patrol] **director of the department of public safety** until the commission is terminated or revoked as provided [herein.] **in this section. As used in this section relating to railroad policemen, the word "commission" means a grant of authority to act as a peace officer.**

388.640. All railroad policemen who become employed after September 28, 1971, shall, before appointment, [attend a law enforcement training course upon payment by his railroad of such reasonable fees as the director or managing officer of such school shall fix] **be a licensed peace officer in accordance with the provisions of chapter 590, RSMo.**

Unofficial

Bill

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