

SECOND REGULAR SESSION

SENATE BILL NO. 754

91ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR HOUSE.

Pre-filed December 1, 2001, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

2950S.01I

AN ACT

To repeal section 85.011, RSMo, relating to law enforcement, and to enact in lieu thereof one new section relating to the same subject.

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

Section A. Section 85.011, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 85.011, to read as follows:

85.011. Any law enforcement officer, other than an elected sheriff or deputy, who possesses the duty and power of arrest for violations of the criminal laws of this state or for violations of ordinances of counties or municipalities of this state, who is regularly employed for more than thirty hours per week, and who is employed by a law enforcement agency of this state or political subdivision of this state which employs more than fifteen law enforcement officers **who is dismissed, demoted or suspended resulting in a reduction or withholding of salary or compensatory time**, shall be given upon written request a meeting within forty-eight hours of a dismissal, disciplinary demotion or suspension that results in a reduction or withholding of salary or compensatory time. The meeting shall be held before any individual or board as designated by the governing body. At any such meeting, the employing law enforcement agency shall at a minimum provide a brief **written** statement[, which may be oral,] of the reason of the discharge, disciplinary demotion or suspension, **which shall be for good cause shown**, and permit the law enforcement officer the

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

opportunity to respond. The results from such meeting shall be reduced to writing. **A hearing upon written request shall occur within thirty days of any such action resulting in dismissal, demotion or loss of salary of one week or more. Nothing in this section shall require an administrative hearing to be conducted pursuant to the hearing procedures established in chapter 536, RSMo. A transcript of the hearing shall be made. The results of such hearing shall be reduced to writing.** Any law enforcement agency that has [substantially] similar or greater [procedures] **procedural protection for its employees established by ordinance or charter provision** shall be deemed to be in compliance with this section. This section shall not apply to an officer serving in a probationary period [or to the highest ranking officer of any law enforcement agency]. **Notwithstanding any provision of law to the contrary, any law enforcement officer employed by the state, or a public college or university** shall not be subject to the provisions of this section.

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Bill

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