

FIRST REGULAR SESSION

SENATE BILL NO. 408

92ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR KLINDT.

Read 1st time February 4, 2003, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

1345S.011

AN ACT

To amend chapter 590, RSMo, by adding thereto two new sections relating to corrections officers certification, training, and standards, with an emergency clause.

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

Section A. Chapter 590, RSMo, is amended by adding thereto two new sections, to be known as sections 590.185 and 590.187, to read as follows:

590.185. 1. There is hereby established within the department of public safety a "Missouri Corrections Officers Training and Standards Commission" (MoCOTS) whose purpose shall be to design, establish, regulate and maintain a "Corrections Officers Certification Program" which shall be composed of six members, including a public voting member appointed by the governor, by and with the advice and consent of the senate, from a list of qualified candidates submitted to the governor by the director of public safety. No members of the MoCOTS commission shall reside in the same congressional district as any other at the time of their appointments but this provision shall not apply to the public member. One member of the MoCOTS commission shall be a chief executive officer of a Missouri department of corrections training academy, one member shall be from the administration of the department of corrections, one member shall be from a certified Missouri university, and two members shall be from a statewide association of corrections officers having membership in excess of one thousand corrections officers. The public member shall be at the time of appointment a registered voter; a person who is not and never has been a member of any profession certified or regulated under this chapter or the spouse of such person; and a person who does not have and never has had a material

financial stake in either the providing of professional services regulated by this chapter, or an activity or organization directly related to any profession certified or regulated by this chapter. Each member of the MoCOTS commission shall have been at the time of his or her appointment a citizen of the United States and a resident of this state for a period of at least one year. No member of the MoCOTS commission serving a full term of three years may be reappointed to the MoCOTS commission until at least one year after the expiration of his or her most recent term.

2. Two of the original members of the MoCOTS commission shall be appointed for terms of one year, two of the original members shall be appointed for terms of two years, and two of the original members of the MoCOTS commission shall be appointed for terms of three years. Thereafter the terms of the members of the MoCOTS commission shall be for three years or until their successors are appointed. The director may remove any member of the MoCOTS commission for misconduct or neglect of office. Any member of the MoCOTS commission may be removed for cause by the director but such member shall be presented with a written statement of the reasons for removal and shall have a hearing before the MoCOTS commission if the member so requests. Any vacancy in the membership of the commission shall be filled by appointment for the unexpired term.

3. Annually the director shall appoint one of the members as chairperson. The MoCOTS commission shall meet at least twice each year as determined by the director or a majority of the members to perform its duties. A majority of the members of the MoCOTS commission shall constitute a quorum.

4. No member of the MoCOTS commission shall receive any compensation for the performance of his or her official duties.

5. The MoCOTS commission shall guide and advise the director concerning duties pursuant to this chapter.

6. Funding for the MoCOTS commission shall be provided by a once yearly contribution of twenty-five dollars per employee per year within the department of corrections and shall be governed by the MoCOTS commission.

590.187. 1. Corrections officers employed by the department of corrections on or before July 1, 2003, shall automatically be designated MoCOTS certified corrections officers (CCO) without having to undergo the corrections officers certification program.

2. Corrections officers employed by the department of corrections after July 1, 2003, shall be designated MoCOTS certified corrections officers (CCO) only upon completion of the standards set forth by the MoCOTS commission.

Section B. Because immediate action is necessary to provide for public safety, section A

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 A of this act shall be in full force and effect upon its passage and approval.

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