

SECOND REGULAR SESSION

[P E R F E C T E D]

SENATE BILL NO. 932

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR LOUDON.

Read 1st time January 10, 2008, and ordered printed.

Read 2nd time January 16, 2008, and referred to the Committee on the Judiciary and Civil and Criminal Jurisprudence.

Reported from the Committee March 13, 2008, with recommendation that the bill do pass and be placed on the Consent Calendar.

Taken up April 2, 2008. Read 3rd time and placed upon its final passage; bill passed.

TERRY L. SPIELER, Secretary.

3601S.01P

AN ACT

To repeal section 650.120, RSMo, and to enact in lieu thereof one new section relating to Internet sex crimes investigation grant program.

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

Section A. Section 650.120, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 650.120, to read as follows:

650.120. 1. Subject to appropriation, the department of public safety shall
2 create a program to distribute grants to multijurisdictional Internet cyber crime
3 law enforcement task forces, multijurisdictional enforcement groups, as defined
4 in section 195.503, RSMo, that are investigating Internet sex crimes against
5 children, and other law enforcement agencies. Not more than three percent of the
6 money appropriated may be used by the department to pay the administrative
7 costs of the grant program. The grants shall be awarded and used to pay the
8 salaries of detectives and computer forensic personnel whose focus is
9 investigating Internet sex crimes against children, including but not limited to
10 enticement of a child, possession or promotion of child pornography, provide
11 funding for the training of law enforcement personnel **and prosecuting and**
12 **circuit attorneys as well as their assistant prosecuting and circuit**
13 **attorneys**, and purchase necessary equipment, supplies, and services. The
14 funding for such training may be used to cover the travel expenses of those
15 persons participating.

16 2. A panel is hereby established in the department of public safety to

17 award grants under this program and shall be comprised of the following
18 members:

19 (1) The director of the department of public safety, or his or her designee;

20 (2) Two members shall be appointed by the director of the department of
21 public safety from a list of six nominees submitted by the Missouri Police Chiefs
22 Association;

23 (3) Two members shall be appointed by the director of the department of
24 public safety from a list of six nominees submitted by the Missouri Sheriffs'
25 Association;

26 (4) Two members of the state highway patrol shall be appointed by the
27 director of the department of public safety from a list of six nominees submitted
28 by the Missouri State Troopers Association;

29 (5) One member of the house of representatives who shall be appointed
30 by the speaker of the house of representatives; and

31 (6) One member of the senate who shall be appointed by the president pro
32 tem.

33 The panel members who are appointed under subdivisions (2), (3), and (4) of this
34 subsection shall serve a four-year term ending four years from the date of
35 expiration of the term for which his or her predecessor was appointed. However,
36 a person appointed to fill a vacancy prior to the expiration of such a term shall
37 be appointed for the remainder of the term. Such members shall hold office for
38 the term of his or her appointment and until a successor is appointed. The
39 members of the panel shall receive no additional compensation but shall be
40 eligible for reimbursement for mileage directly related to the performance of
41 panel duties.

42 3. Local matching amounts, which may include new or existing funds or
43 in-kind resources including but not limited to equipment or personnel, are
44 required for multijurisdictional Internet cyber crime law enforcement task forces
45 and other law enforcement agencies to receive grants awarded by the panel. Such
46 amounts shall be determined by the state appropriations process or by the panel.

47 4. When awarding grants, priority should be given to newly hired
48 detectives and computer forensic personnel.

49 5. The panel shall establish minimum training standards for detectives
50 and computer forensic personnel participating in the grant program established
51 in subsection 1 of this section.

52 6. Multijurisdictional Internet cyber crime law enforcement task forces

53 and other law enforcement agencies participating in the grant program
54 established in subsection 1 of this section shall share information and cooperate
55 with the highway patrol and with existing Internet crimes against children task
56 force programs.

57 7. The panel may make recommendations to the general assembly
58 regarding the need for additional resources or appropriations.

59 8. The power of arrest of any peace officer who is duly authorized as a
60 member of a multijurisdictional Internet cyber crime law enforcement task force
61 shall only be exercised during the time such peace officer is an active member of
62 such task force and only within the scope of the investigation on which the task
63 force is working. Notwithstanding other provisions of law to the contrary, such
64 task force officer shall have the power of arrest, as limited in this subsection,
65 anywhere in the state and shall provide prior notification to the chief of police of
66 a municipality or the sheriff of the county in which the arrest is to take place. If
67 exigent circumstances exist, such arrest may be made and notification shall be
68 made to the chief of police or sheriff as appropriate and as soon as practical. The
69 chief of police or sheriff may elect to work with the multijurisdictional Internet
70 cyber crime law enforcement task force at his or her option when such task force
71 is operating within the jurisdiction of such chief of police or sheriff.

72 9. Under section 23.253, RSMo, of the Missouri sunset act:

73 (1) The provisions of the new program authorized under this section shall
74 sunset automatically six years after June 5, 2006, unless reauthorized by an act
75 of the general assembly; and

76 (2) If such program is reauthorized, the program authorized under this
77 section shall sunset automatically twelve years after the effective date of the
78 reauthorization of this section; and

79 (3) This section shall terminate on September first of the calendar year
80 immediately following the calendar year in which the program authorized under
81 this section is sunset.

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