

FIRST REGULAR SESSION

SENATE BILL NO. 189

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SHIELDS.

Read 1st time January 14, 2009, and ordered printed.

TERRY L. SPIELER, Secretary.

1103S.011

AN ACT

To repeal section 84.830, RSMo, and to enact in lieu thereof one new section relating to prohibited activities by Kansas City police officers, with penalty provisions.

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

Section A. Section 84.830, RSMo, is repealed and one new section enacted
2 in lieu thereof, to be known as section 84.830, to read as follows:

84.830. 1. [No person shall solicit orally, or by letter or otherwise, or
2 shall be in any manner concerned in soliciting, any assessment, contribution, or
3 payment for any political purpose whatsoever from any officer or employee in the
4 service of the police department for such cities or from members of the said police
5 board. No officer, agent, or employee of the police department of such cities shall
6 permit any such solicitation in any building or room occupied for the discharge
7 of the official duties of the said department. No officer or employee in the service
8 of said police department shall directly or indirectly give, pay, lend, or contribute
9 any part of his salary or compensation or any money or other valuable thing to
10 any person on account of, or to be applied to, the promotion of any political party,
11 political club, or any political purpose whatever.

12 2.] No officer or employee of said department shall promote, remove, or
13 reduce any other official or employee, or promise or threaten to do so, for
14 withholding or refusing to make any contribution for any political party or
15 purpose or club, or for refusal to render any political service, and shall not
16 directly or indirectly attempt to coerce, command, or advise any other officer or
17 employee to make any such contribution or render any such service. No officer
18 or employee in the service of said department or member of the police board shall
19 use his official authority or influence for the purpose of interfering with any

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

20 election or any nomination for office, or affecting the result thereof. [No officer
21 or employee of such department shall be a member or official of any committee
22 of any political party, or be a ward committeeman or committeewoman, nor shall
23 any such officer or employee solicit any person to vote for or against any
24 candidate for public office, or "poll precincts" or be connected with other political
25 work of similar character on behalf of any political organization, party, or
26 candidate.] All such persons shall, however, retain the right to vote as they may
27 choose and to express their opinions on all political subjects and candidates.

28 [3.] 2. No person or officer or employee of said department shall affix any
29 sign, bumper sticker or other device to any property or vehicle under the control
30 of said department which either supports or opposes any ballot measure or
31 political candidate.

32 [4.] 3. No question in any examination shall relate to political or
33 religious opinions or affiliations, and no appointment, transfer, layoff, promotion,
34 reduction, suspension, or removal shall be affected by such opinions or
35 affiliations.

36 [5.] 4. No person shall make false statement, certification, mark, rating,
37 or report with regard to any tests, certificate, or appointment made under any
38 provision of sections 84.350 to 84.860 or in any manner commit or attempt to
39 commit any fraud preventing the impartial execution of this section or any
40 provision thereof.

41 [6.] 5. No person shall, directly or indirectly, give, render, pay, offer,
42 solicit, or accept any money, service, or other valuable consideration for or on
43 account of any appointment, proposed appointment, promotion to, or any
44 advancement in, a position in the service of the police departments of such cities.

45 [7.] 6. No person shall defeat, deceive, or obstruct any person in his right
46 to examination, eligibility, certification, appointment or promotion under sections
47 84.350 to 84.860, or furnish to any person any such secret information for the
48 purpose of affecting the right or prospects of any person with respect to
49 employment in the police departments of such cities.

50 [8.] 7. Any officer or any employee of the police department of such cities
51 who shall be found by the board to have violated any of the provisions of this
52 section shall be discharged forthwith from said service. It shall be the duty of the
53 chief of police to prefer charges against any such offending person at once. Any
54 member of the board or of the common council of such cities may bring suit to
55 restrain payment of compensation to any such offending officer or employee and,

56 as an additional remedy, any such member of the board or of the common council
57 of such cities may also apply to the circuit court for a writ of mandamus to compel
58 the dismissal of such offending officer or employee. Officers or employees
59 discharged by such mandamus shall have no right of review before the police
60 board. Any person dismissed or convicted under this section shall, for a period
61 of five years, be ineligible for appointment to any position in the service of the
62 police department of such cities or the municipal government of such cities. Any
63 persons who shall willfully or through culpable negligence violate any of the
64 provisions of this section may, upon conviction thereof, be punished by a fine of
65 not less than fifty dollars and not exceeding five hundred dollars, or by
66 imprisonment for a time not exceeding six months, or by both such fine and
67 imprisonment.

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Bill

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