

FIRST REGULAR SESSION

# SENATE BILL NO. 47

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCOTT.

Pre-filed December 1, 2008, and ordered printed.

TERRY L. SPIELER, Secretary.

0192S.011

## AN ACT

To repeal sections 43.060 and 590.030, RSMo, and to enact in lieu thereof two new sections relating to educational requirements for certain law enforcement personnel.

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

Section A. Sections 43.060 and 590.030, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 43.060 and 590.030, to read as follows:

43.060. 1. Patrolmen and radio personnel shall not be less than twenty-one years of age. No person shall be appointed as superintendent or member of the patrol or as a member of the radio personnel who has been convicted of a felony or any crime involving moral turpitude, or against whom any indictment or information may then be pending charging the person with having committed a crime, nor shall any person be appointed who is not of good character or who is not a citizen of the United States and who at the time of appointment is not a citizen of the state of Missouri; or who [is not a graduate of an accredited four-year high school or in lieu thereof] **has not completed a high school program of education under chapter 167, RSMo, or who has not obtained a General Educational Development (GED) certificate [of equivalency from the state department of elementary and secondary education or other source recognized by that department], and who has not obtained advanced education and experience as approved by the superintendent,** or who does not possess ordinary physical strength, and who is not able to pass the physical and mental examination that the superintendent prescribes.

2. Except as provided in subsections 3 and 4 of this section, no member

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

18 of the patrol shall hold any other commission or office, elective or appointive,  
19 while a member of the patrol, except that the superintendent may authorize  
20 specified members to accept federal commissions providing investigative and  
21 arrest authority to enforce federal statutes while working with or at the direction  
22 of a federal law enforcement agency. No member of the patrol shall accept any  
23 other employment, compensation, reward, or gift other than regular salary and  
24 expenses as herein provided except with the written permission of the  
25 superintendent. No member of the patrol shall perform any police duty connected  
26 with the conduct of any election, nor shall any member of the patrol at any time  
27 or in any manner electioneer for or against any party ticket, or any candidate for  
28 nomination or election to office on any party ticket, nor for or against any  
29 proposition of any kind or nature to be voted upon at any election.

30           3. Members of the patrol shall be permitted to be candidates for and  
31 members or directors of the school board in any school district where they meet  
32 the requirements for that position as set forth in chapter 162, RSMo. Members  
33 of the patrol who become school board directors or members within the state shall  
34 be permitted to receive benefits or compensation for their service to the school  
35 board as provided by chapter 162, RSMo.

36           4. The superintendent may, by general order, set forth the circumstances  
37 under which members of the patrol may, in addition to their duties as members  
38 of the patrol, be engaged in secondary employment.

590.030. 1. The POST commission shall establish minimum standards for  
2 the basic training of peace officers. Such standards may vary for each class of  
3 license established pursuant to subsection 2 of section 590.020.

4           2. The director shall establish minimum age, citizenship, and general  
5 education requirements and may require a qualifying score on a certification  
6 examination as conditions of eligibility for a peace officer license. **Such general  
7 education requirements shall require completion of a high school  
8 program of education under chapter 167, RSMo, or obtainment of a  
9 General Education Development (GED) certificate.**

10           3. The director shall provide for the licensure, with or without additional  
11 basic training, of peace officers possessing credentials by other states or  
12 jurisdictions, including federal and military law enforcement officers.

13           4. The director shall establish a procedure for obtaining a peace officer  
14 license and shall issue the proper license when the requirements of this chapter  
15 have been met.

16 5. As conditions of licensure, all licensed peace officers shall:

17 (1) Obtain continuing law enforcement education pursuant to rules to be  
18 promulgated by the POST commission; and

19 (2) Maintain a current address of record on file with the director.

20 6. A peace officer license shall automatically expire if the licensee fails to  
21 hold a commission as a peace officer for a period of five consecutive years,  
22 provided that the POST commission shall provide for the relicensure of such  
23 persons and may require retraining as a condition of eligibility for relicensure,  
24 and provided that the director may provide for the continuing licensure, subject  
25 to restrictions, of persons who hold and exercise a law enforcement commission  
26 requiring a peace officer license but not meeting the definition of a peace officer  
27 pursuant to this chapter.

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Bill

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