

SECOND REGULAR SESSION

SENATE BILL NO. 643

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR KEAVENY.

Pre-filed December 1, 2009, and ordered printed.

TERRY L. SPIELER, Secretary.

3356S.02I

AN ACT

To repeal section 84.010, RSMo, and to enact in lieu thereof five new sections relating to the St. Louis police force.

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

Section A. Section 84.010, RSMo, is repealed and five new sections
2 enacted in lieu thereof, to be known as sections 84.010, 84.341, 84.342, 84.343,
3 and 84.344, to read as follows:

84.010. 1. In all cities of this state that now have, or may hereafter
2 attain, a population of seven hundred thousand inhabitants or over, the common
3 council or municipal assembly, as the case may be, of such cities may pass
4 ordinances for preserving order, securing property and persons from violence,
5 danger or destruction, protecting public and private property, and for promoting
6 the interests and insuring the good government of the cities; but no ordinances
7 heretofore passed, or that may hereafter be passed, by the common council or
8 municipal assembly of the cities, shall, in any manner, conflict or interfere with
9 the powers or the exercise of the powers of the boards of police commissioners of
10 the cities as created by section 84.020, nor shall the cities or any officer or agent
11 of the corporation of the cities, or the mayor thereof, in any manner impede,
12 obstruct, hinder or interfere with the boards of police or any officer, or agent or
13 servant thereof or thereunder, except that in any case of emergency imminently
14 imperiling the lives, health or safety of the inhabitants of the city, the mayor may
15 call upon and direct the chief of police of the city to provide such number of
16 officers and patrolmen to meet the emergency as the mayor determines to be
17 necessary and the chief of police shall continue to act under the direction of the
18 mayor until the emergency has ceased, or until the board of police commissioners
19 takes charge of such matter.

20 2. Notwithstanding any provision of subsection 1 of this section
21 or any other law to the contrary, as of August 28, 2010, any city not
22 within a county may establish by ordinance, and thereafter maintain,
23 a municipal police force under sections 84.341 and 84.342.

 84.341. Any city not within a county may establish by ordinance
2 a municipal police force for the purposes of:

- 3 (1) Preserving the public peace, welfare, and order;
- 4 (2) Preventing crime and arresting suspected offenders;
- 5 (3) Enforcing the laws of the state and ordinances of the city;
- 6 (4) Exercising all powers available to a police force under
7 generally applicable state law; and
- 8 (5) Regulating and licensing all private watchmen, private
9 detectives, and private policemen serving or acting as such in said
10 cities. No person shall act as a private watchman, private detective, or
11 private policeman in said cities without first having obtained a written
12 license from said police force.

 84.342. 1. Any ordinance adopted under section 84.341 shall
2 provide for the employment in the municipal police force, immediately
3 upon the effective date of the establishment of the municipal police
4 force, of all officers and employees of any police force previously
5 established under sections 84.010 to 84.340 at their then current
6 salaries, and for their entitlement to all accrued benefits, including but
7 not limited to, vacation time, sick leave, and health insurance. All
8 former employees shall also remain eligible for all accrued benefits,
9 including but not limited to health insurance and pensions. Any such
10 ordinance shall be consistent with any regulation concerning residence
11 of police officers adopted by the board of police commissioners under
12 sections 84.020 and 84.030 prior to the adoption of such ordinance.

13 2. After the establishment of a municipal police force under
14 section 84.341, the city may provide by ordinance for the number and
15 ranks of police officers, for such officers' compensation and benefits,
16 and for the appointment, promotion, suspension, demotion, or
17 discharge of members of the police force and of the police chief.

 84.343. Immediately upon the adoption by a city not within a
2 county of an ordinance establishing a municipal police force under
3 section 84.341, the clerk of such city shall file a certified copy of such
4 ordinance with the secretary of state. The provisions of subsection 1

5 of section 84.010 and sections 84.015, 84.020, 84.030, 84.040, 84.050,
6 84.060, 84.070, 84.080, 84.090, 84.095, 84.100, 84.110, 84.120, 84.130, 84.140,
7 84.150, 84.160, 84.170, 84.175, 84.180, 84.190, 84.200, 84.210, 84.220, 84.230,
8 84.240, 84.250, 84.260, 84.265, 84.330, and 84.340, and the terms of office
9 of the commissioners of the board of police under sections 84.020 and
10 84.030, shall expire upon the effective date of the establishment of a
11 municipal police force as provided in such ordinance. The city shall
12 provide notice of the establishment of the ordinance and expiration of
13 such sections to the revisor of statutes.

84.344. Any police pension system for members of a police force
2 established under sections 84.010 to 84.343 shall continue to be
3 governed by chapter 86, as amended.

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Bill

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