

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 744
96TH GENERAL ASSEMBLY

Reported from the Committee on General Laws, March 1, 2012, with recommendation that the Senate Committee Substitute do pass.

5600S.03C

TERRY L. SPIELER, Secretary.

AN ACT

To repeal sections 8.115 and 8.177, RSMo, and to enact in lieu thereof two new sections relating to security within the state capitol, with an emergency clause.

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

Section A. Sections 8.115 and 8.177, RSMo, are repealed and two new
2 sections enacted in lieu thereof, to be known as sections 8.115 and 8.177, to read
3 as follows:

8.115. Notwithstanding the provisions of chapter 571, the office of
2 administration, division of facilities management, is authorized to provide armed
3 security guards at state-owned or leased facilities [except at the seat of
4 government and within the county which contains the seat of government],
5 **including the state capitol building, but not otherwise for any state-**
6 **owned or leased facility within the county containing the seat of**
7 **government**, either through qualified persons employed by the office of
8 administration, or through the use of a contract with a properly licensed firm.

8.177. 1. The director of the department of public safety shall employ
2 Missouri capitol police officers for public safety at the seat of state
3 government. Each Missouri capitol police officer, upon appointment, shall take
4 and subscribe an oath of office to support the constitution and laws of the United
5 States and the state of Missouri and shall receive a certificate of appointment, a
6 copy of which shall be filed with the secretary of state, granting such police
7 officers all the same powers of arrest held by other police officers to maintain
8 order and preserve the peace in all state-owned or leased buildings, and the
9 grounds thereof, at the seat of government and such buildings and grounds within

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

10 the county which contains the seat of government.

11 2. The director of the department of public safety shall appoint a
12 sufficient number of Missouri capitol police officers, with available
13 appropriations, as appropriated specifically for the purpose designated in this
14 subsection, so that the capitol grounds may be patrolled at all times, and that
15 traffic and parking upon the capitol grounds and the grounds of other state
16 buildings owned or leased within the capital city and the county which contains
17 the seat of government may be properly controlled. Missouri capitol police
18 officers may make arrests for the violation of parking and traffic regulations
19 promulgated by the office of administration.

20 3. Missouri capitol police officers shall be authorized to arrest a person
21 anywhere in the county that contains the state seat of government, when there
22 is probable cause to believe the person committed a crime within capitol police
23 jurisdiction or when a person commits a crime in the presence of an on-duty
24 capitol police officer.

25 **4. The office of administration shall establish and maintain a**
26 **system of video or digital camera surveillance for all public spaces**
27 **within the state capitol building. Such system shall be available to the**
28 **Missouri capitol police officers to fulfill duties prescribed to such**
29 **officers by the provisions of this section. Any video or digital records**
30 **produced by such system shall only be used for official investigations**
31 **of criminal offenses, shall be considered closed records for purposes of**
32 **chapter 610, and shall only be disclosed to a law enforcement agency in**
33 **order for such agency to carry out its official duties.**

Section B. Because of the need to ensure security within the state capitol
2 building, section A of this act is deemed necessary for the immediate preservation
3 of the public health, welfare, peace and safety, and is hereby declared to be an
4 emergency act within the meaning of the constitution, and section A of this act
5 shall be in full force and effect upon its passage and approval.

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