

SECOND REGULAR SESSION

# SENATE BILL NO. 820

96TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR NIEVES.

Read 1st time February 22, 2012, and ordered printed.

TERRY L. SPIELER, Secretary.

5857S.021

## AN ACT

To repeal sections 190.307 and 650.340, RSMo, and to enact in lieu thereof two new sections relating to emergency dispatch operator training.

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

Section A. Sections 190.307 and 650.340, RSMo, are repealed and two new  
2 sections enacted in lieu thereof, to be known as sections 190.307 and 650.340, to  
3 read as follows:

190.307. 1. No public agency or public safety agency, nor any officer,  
2 agent or employee of any public agency, shall be liable for any civil damages as  
3 a result of any act or omission except willful and wanton misconduct or gross  
4 negligence, in connection with developing, adopting, operating or implementing  
5 any plan or system required by sections 190.300 to 190.340.

6 2. No person who gives emergency instructions through a system  
7 established pursuant to sections 190.300 to 190.340 to persons rendering services  
8 in an emergency at another location, nor any persons following such instructions  
9 in rendering such services, shall be liable for any civil damages as a result of  
10 issuing or following the instructions, unless issuing or following the instructions  
11 constitutes willful and wanton misconduct, or gross negligence.

12 **3. No person who gives instructions through a system established**  
13 **under sections 190.300 to 190.340 regarding self-defense and defense of**  
14 **others based on the training required in section 650.340 shall be liable**  
15 **for any civil damages as a result of giving such instructions, unless**  
16 **giving such instructions constitutes willful and wanton misconduct or**  
17 **gross negligence. The giving of such instruction in accordance with the**  
18 **training required under section 650.340 shall not be deemed the**

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

19 **practice of law or the giving of legal advice on self-defense or defense**  
20 **of others.**

650.340. 1. The provisions of this section may be cited and shall be  
2 known as the "911 Training and Standards Act".

3 2. Initial training requirements for telecommunicators who answer 911  
4 calls that come to public safety answering points shall be as follows:

- 5 (1) Police telecommunicator..... 16 hours;
- 6 (2) Fire telecommunicator..... 16 hours;
- 7 (3) Emergency medical services telecommunicator. .... 16 hours;
- 8 (4) Joint communication center telecommunicator..... 40 hours.

9 3. **In addition to the training requirements in subsection 2 of this**  
10 **section, all persons employed as a telecommunicator shall be trained**  
11 **in state law regarding self-defense and defense of others so that a**  
12 **telecommunicator has a basic knowledge of such laws in order to assist**  
13 **persons who are in imminent threat of serious physical injury or**  
14 **death. Nothing in this subsection shall be deemed as the practice of**  
15 **law or the giving of legal advice, and the civil immunity provided in**  
16 **subsection 3 of section 190.307 shall apply to all telecommunicators who**  
17 **give instructions on self-defense and defense of others based on the**  
18 **training requirements of this subsection.**

19 4. All persons employed as a telecommunicator in this state shall be  
20 required to complete ongoing training so long as such person engages in the  
21 occupation as a telecommunicator. Such persons shall complete at least  
22 twenty-four hours of ongoing training every three years by such persons or  
23 organizations as provided in subsection [6] 7 of this section. The reporting period  
24 for the ongoing training under this subsection shall run concurrent with the  
25 existing continuing education reporting periods for Missouri peace officers  
26 pursuant to chapter 590.

27 [4.] 5. Any person employed as a telecommunicator on August 28, 1999,  
28 shall not be required to complete the training requirement as provided in  
29 subsection 2 of this section. Any person hired as a telecommunicator after  
30 August 28, 1999, shall complete the training requirements as provided in  
31 [subsection] **subsections 2 and 3** of this section within twelve months of the  
32 date such person is employed as a telecommunicator.

33 [5.] 6. The training requirements as provided in subsection 2 of this  
34 section shall be waived for any person who furnishes proof to the committee that

35 such person has completed training in another state which are at least as  
36 stringent as the training requirements of subsection 2 of this section.

37 [6.] 7. The department of public safety shall determine by administrative  
38 rule the persons or organizations authorized to conduct the training as required  
39 by [subsection 2] **subsections 2 and 3** of this section.

40 [7.] 8. This section shall not apply to an emergency medical dispatcher  
41 or agency as defined in section 190.100, or a person trained by an entity  
42 accredited or certified under section 190.131, or a person who provides prearrival  
43 medical instructions who works for an agency which meets the requirements set  
44 forth in section 190.134.

Unofficial ✓

Bill

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