

FIRST REGULAR SESSION

# SENATE BILL NO. 296

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR LAGER.

Read 1st time February 11, 2013, and ordered printed.

TERRY L. SPIELER, Secretary.

1559S.011

## AN ACT

To repeal sections 174.700, 174.703, 174.706, and 544.157, RSMo, and to enact in lieu thereof six new sections relating to college or university police officers.

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

Section A. Sections 174.700, 174.703, 174.706, and 544.157, RSMo, are  
2 repealed and six new sections enacted in lieu thereof, to be known as sections  
3 174.700, 174.703, 174.706, 174.709, 174.712, and 544.157, to read as follows:

174.700. The board of regents or board of governors of any state college  
2 or university may appoint and employ as many college or university police officers  
3 as it may deem necessary to **enforce regulations established under section**  
4 **174.709 and general motor vehicle laws of this state in accordance with**  
5 **section 174.712**, protect persons, property, and to preserve peace and good order  
6 only in the public buildings, properties, grounds, and other facilities and locations  
7 over which it has charge or control and to respond to emergencies or natural  
8 disasters outside of the boundaries of university property and provide services if  
9 requested by the law enforcement agency with jurisdiction.

174.703. 1. The college or university police officers, before they enter  
2 upon their duties, shall take and subscribe an oath of office before some officer  
3 authorized to administer oaths, to faithfully and impartially discharge the duties  
4 thereof, which oath shall be filed in the office of the board, and the secretary of  
5 the board shall give each college police officer so appointed and qualified a  
6 certificate of appointment, under the seal of the board, which certificate shall  
7 empower him or her with the same authority to maintain order, preserve peace  
8 and make arrests as is now held by peace officers.

9 **2. The college or university police officers shall have the**

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

10 **authority to enforce the regulations established in section 174.709 and**  
11 **general motor vehicle laws in accordance with section 174.712 on the**  
12 **campus as prescribed in chapter 304.** The college or university police officer  
13 may in addition expel from the public buildings, campuses, and grounds, persons  
14 violating the rules and regulations that may be prescribed by the board or others  
15 under the authority of the board.

16 **3.** Such officer or employee of the state college or university as may be  
17 designated by the board shall have immediate charge, control and supervision of  
18 police officers appointed by authority of this section. Such college or university  
19 police officers shall have satisfactorily completed before appointment a training  
20 course for police officers as prescribed by chapter 590 for state peace officers or,  
21 by virtue of previous experience or training, have met the requirements of chapter  
22 590, **and have been certified under that chapter.**

174.706. Nothing in sections 174.700 to 174.706 shall be construed as  
2 denying the board the right to appoint guards or watchmen who shall not be  
3 given the authority and powers authorized by sections 174.700 to [174.706]  
4 **174.712.**

**174.709. 1. For the purpose of promoting public safety, health,**  
2 **and general welfare and to protect life and property, the board of**  
3 **regents or board of governors of any state college or university may**  
4 **establish regulations to control vehicular traffic, including speed**  
5 **regulations, on any thoroughfare owned or maintained by the state**  
6 **college or university and located within any of its campuses. Such**  
7 **regulations shall be consistent with the provisions of the general motor**  
8 **vehicle laws of this state. Upon adoption of such regulations, the state**  
9 **college or university shall have the authority to place official traffic**  
10 **control signals, as defined in section 300.010, on campus property.**

11 **2.** The regulations established by the board of regents or board  
12 of governors of any state college or university under subsection 1 of  
13 this section shall be codified, printed, and distributed for public  
14 use. Adequate signs displaying the speed limit shall be posted along  
15 such thoroughfares.

16 **3.** Violations of any regulation established under this section  
17 shall have the same effect as a violation of municipal ordinances  
18 adopted under section 304.120, with penalty provisions as provided in  
19 section 304.570. Points assessed against any person under section

20 **302.302, for a violation of this section shall be the same as provided for**  
21 **a violation of a county or municipal ordinance.**

22 **4. The provisions of this section shall apply only to moving**  
23 **violations.**

**174.712. All motor vehicles operated upon any thoroughfare**  
2 **owned or maintained by the state college or university and located**  
3 **within any of its campuses shall be subject to the provisions of the**  
4 **general motor vehicle laws of this state, including chapters 301, 302,**  
5 **303, 304, 307, and 577. Violations shall have the same effect as though**  
6 **such had occurred on public roads, streets, or highways of this state.**

544.157. 1. Any law enforcement officer certified pursuant to chapter 590  
2 of any political subdivision of this state, any authorized agent of the department  
3 of conservation, any commissioned member of the Missouri capitol police, **any**  
4 **college or university police officer**, and any commissioned member of the  
5 Missouri state park rangers in fresh pursuit of a person who is reasonably  
6 believed by such officer to have committed a felony in this state or who has  
7 committed, or attempted to commit, in the presence of such officer or agent, any  
8 criminal offense or violation of a municipal or county ordinance, or for whom such  
9 officer holds a warrant of arrest for a criminal offense, shall have the authority  
10 to arrest and hold in custody such person anywhere in this state. Fresh pursuit  
11 may only be initiated from within the pursuing peace officer's, conservation  
12 agent's, capitol police officer's, **college or university police officer's**, or state  
13 park ranger's jurisdiction and shall be terminated once the pursuing peace officer  
14 is outside of such officer's jurisdiction and has lost contact with the person being  
15 pursued. If the offense is a traffic violation, the uniform traffic ticket shall be  
16 used as if the violator had been apprehended in the municipality or county in  
17 which the offense occurred.

18 2. If such an arrest is made in obedience to a warrant, the disposition of  
19 the prisoner shall be made as in other cases of arrest under a warrant; if the  
20 violator is served with a uniform traffic ticket, the violator shall be directed to  
21 appear before a court having jurisdiction to try the offense; if the arrest is  
22 without a warrant, the prisoner shall be taken forthwith before a judge of a court  
23 with original criminal jurisdiction in the county wherein such arrest was made  
24 or before a municipal judge thereof having original jurisdiction to try such  
25 offense, who may release the person as provided in section 544.455, conditioned  
26 upon such person's appearance before the court having jurisdiction to try the

27 offense. The person so arrested need not be taken before a judge as herein set  
28 out if given a summons by the arresting officer.

29         3. The term "fresh pursuit", as used in this section, shall include hot or  
30 fresh pursuit as defined by the common law and also the pursuit of a person who  
31 has committed a felony or is reasonably suspected of having committed a felony  
32 in this state, or who has committed or attempted to commit in this state a  
33 criminal offense or violation of municipal or county ordinance in the presence of  
34 the arresting officer referred to in subsection 1 of this section or for whom such  
35 officer holds a warrant of arrest for a criminal offense. It shall include also the  
36 pursuit of a person suspected of having committed a supposed felony in this state,  
37 though no felony has actually been committed, if there is reasonable ground for  
38 so believing. "Fresh pursuit" as used herein shall imply instant pursuit.

39         4. A public agency electing to institute vehicular pursuits shall adopt a  
40 policy for the safe conduct of vehicular pursuits by peace officers. Such policy  
41 shall meet the following minimum standards:

42             (1) There shall be supervisory control of the pursuit;

43             (2) There shall be procedures for designating the primary pursuit vehicle  
44 and for determining the total number of vehicles to be permitted to participate  
45 at one time in the pursuit;

46             (3) There shall be procedures for coordinating operation with other  
47 jurisdictions; and

48             (4) There shall be guidelines for determining when the interests of public  
49 safety and effective law enforcement justify a vehicular pursuit and when a  
50 vehicular pursuit should not be initiated or should be terminated.

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