

SENATE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NOS. 302 & 228

AN ACT

To repeal sections 43.505, 57.450, 57.530, 86.207, 190.103, 190.165, 302.441, 488.5320, 513.653, 544.671, 565.050, 565.052, 565.054, 565.056, 575.150, 650.055, and 650.330, RSMo, and to enact in lieu thereof twenty-three new sections relating to emergency responders, with penalty provisions and an emergency clause for certain sections.

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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

1           Section A. Sections 43.505, 57.450, 57.530, 86.207,  
2 190.103, 190.165, 302.441, 488.5320, 513.653, 544.671, 565.050,  
3 565.052, 565.054, 565.056, 575.150, 650.055, and 650.330, RSMo,  
4 are repealed and twenty-three new sections enacted in lieu  
5 thereof, to be known as sections 43.505, 57.450, 57.530, 84.514,  
6 86.207, 190.103, 190.147, 190.165, 252.069, 302.441, 488.5320,  
7 513.653, 544.671, 565.050, 565.052, 565.054, 565.056, 575.150,  
8 590.1040, 650.055, 650.330, 650.520, and 1, to read as follows:  
9           43.505. 1. The department of public safety is hereby  
10 designated as the central repository for the collection,  
11 maintenance, analysis and reporting of crime incident activity  
12 generated by law enforcement agencies in this state. The

1 department shall develop and operate a uniform crime reporting  
2 system that is compatible with the national uniform crime  
3 reporting system operated by the Federal Bureau of Investigation.

4 2. The department of public safety shall:

5 (1) Develop, operate and maintain an information system for  
6 the collection, storage, maintenance, analysis and retrieval of  
7 crime incident and arrest reports from Missouri law enforcement  
8 agencies;

9 (2) Compile the statistical data and forward such data as  
10 required to the Federal Bureau of Investigation or the  
11 appropriate Department of Justice agency in accordance with the  
12 standards and procedures of the national system;

13 (3) Provide the forms, formats, procedures, standards and  
14 related training or training assistance to all law enforcement  
15 agencies in the state as necessary for such agencies to report  
16 incident and arrest activity for timely inclusion into the  
17 statewide system;

18 (4) Annually publish a report on the nature and extent of  
19 crime and submit such report to the governor and the general  
20 assembly. Such report and other statistical reports shall be  
21 made available to state and local law enforcement agencies and  
22 the general public through an electronic or manual medium;

23 (5) Maintain the privacy and security of information in  
24 accordance with applicable state and federal laws, regulations  
25 and orders; and

26 (6) Establish such rules and regulations as are necessary  
27 for implementing the provisions of this section. Any rule or  
28 portion of a rule, as that term is defined in section 536.010,

1 that is created under the authority delegated in this section  
2 shall become effective only if it complies with and is subject to  
3 all of the provisions of chapter 536 and, if applicable, section  
4 536.028. This section and chapter 536 are nonseverable and if  
5 any of the powers vested with the general assembly pursuant to  
6 chapter 536 to review, to delay the effective date or to  
7 disapprove and annul a rule are subsequently held  
8 unconstitutional, then the grant of rulemaking authority and any  
9 rule proposed or adopted after August 28, 2000, shall be invalid  
10 and void.

11 3. Every law enforcement agency in the state shall:

12 (1) Submit crime incident reports to the department of  
13 public safety on forms or in the format prescribed by the  
14 department; and

15 (2) Submit any other crime incident information which may  
16 be required by the department of public safety.

17 4. Any law enforcement agency that violates this section  
18 after December 31, 2021, may be ineligible to receive state or  
19 federal funds which would otherwise be paid to such agency for  
20 law enforcement, safety or criminal justice purposes.

21 57.450. All general laws relating and applicable to the  
22 sheriffs of the several counties of this state shall apply to the  
23 same officer in the City of St. Louis, except that the sheriff of  
24 the City of St. Louis shall not enforce the general criminal laws  
25 of the state of Missouri unless such enforcement shall be  
26 incidental to the duties customarily performed by the sheriff of  
27 the City of St. Louis. The office of sheriff of the city of St.  
28 Louis shall be considered a law enforcement agency, and the

1 sheriff and sworn deputies of that office shall be considered law  
2 enforcement officers and shall be eligible for training and  
3 licensure by the peace officer standards and training commission  
4 under chapter 590. All acts and parts of acts providing for any  
5 legal process to be directed to any sheriff of any county shall  
6 be so construed as to mean the sheriff of the city of St. Louis  
7 as if such officer were specifically named in such act.

8       57.530. 1. The sheriff of the city of St. Louis shall[,  
9 with the approval of a majority of the circuit judges of the  
10 circuit court of said city,] appoint as many deputies and  
11 assistants as may be necessary to perform the duties of his or  
12 her office, and fix the compensation for their services, which  
13 compensation, however, shall not in any case exceed the annual  
14 rate of compensation fixed by the board of aldermen of the city  
15 of St. Louis therefor.

16       2. Any person appointed as deputy, or any like position,  
17 under subsection 1 of this section shall hold a valid peace  
18 officer license under chapter 590.

19       84.514. The chief of police, with the approval of the  
20 board, may appoint a police officer to serve as lieutenant  
21 colonel on matters relating to homeland security and disaster  
22 communications. Notwithstanding the provisions of section 84.510  
23 to the contrary, such position shall be a new position and in  
24 addition to the number of lieutenant colonels authorized under  
25 section 84.510. The lieutenant colonel authorized under this  
26 section shall be responsible for matters relating to homeland  
27 security and disaster communications as determined by the chief  
28 and be entitled to the same rank, privileges, and compensation

1 afforded all other lieutenant colonels within the department.

2 86.207. 1. Except as provided herein, all persons who  
3 become policemen and all policemen who enter or reenter the  
4 service of any city not within a county after the first day of  
5 October, 1957, become members of the system as a condition of  
6 their employment and during the period of their membership shall  
7 receive no pensions or retirement allowance from any other  
8 pension or retirement system supported wholly or in part by the  
9 city not within a county or the state of Missouri, nor shall they  
10 be required to make contributions under any other pension or  
11 retirement system of the city not within a county or the state of  
12 Missouri for the same period of service[, anything to the  
13 contrary notwithstanding. Any employee of a city not within a  
14 county who is earning creditable service in a retirement plan  
15 established by said city under section 95.540 and subsequently  
16 becomes a policeman may elect to remain a member of said  
17 retirement plan and shall not be required to become a member of a  
18 police retirement system established under section 86.200.

19 However,]. Officers employed by a city not within a county and  
20 occupying the position of "Airport Police Officer" shall not be  
21 required to become members as a condition of their employment.

22 An employee of a city not within a county who is earning  
23 creditable service in a retirement plan established by said city  
24 under section 95.540 and who subsequently becomes a policeman may  
25 elect to transfer [membership and] creditable service to the  
26 police retirement system created under [section] sections 86.200  
27 to 86.366. Such transfers are subject to the conditions and  
28 requirements contained in section 105.691 and are also subject to

1 any existing agreements between the said retirement plans[;  
2 provided however, transfers completed prior to January 1, 2016,  
3 shall occur without regard to the vesting requirements of the  
4 receiving plan contained in section 105.691]. As part of the  
5 transfer process described herein, the respective retirement  
6 plans may require the employee to acknowledge and agree as a  
7 condition of transfer that any election made under this section  
8 is irrevocable, constitutes a waiver of any right to receive  
9 retirement and disability benefits except as provided by the  
10 police retirement system, and that plan terms may be modified in  
11 the future.

12 2. If any member ceases to be in service for more than one  
13 year unless the member has attained the age of fifty-five or has  
14 twenty years or more of creditable service, or if the member  
15 withdraws the member's accumulated contributions or if the member  
16 receives benefits under the retirement system or dies, the member  
17 thereupon ceases to be a member; except in the case of a member  
18 who has served in the Armed Forces of the United States and has  
19 subsequently been reinstated as a policeman. A member who has  
20 terminated employment as a police officer, has actually retired  
21 and is receiving retirement benefits under the system shall be  
22 considered a retired member.

23 3. A reserve officer shall not be considered a member of  
24 the system for the purpose of determining creditable service, nor  
25 shall any contributions be due. A reserve officer shall not be  
26 entitled to any benefits from the system other than those awarded  
27 when the reserve officer originally retired under section 86.250,  
28 nor shall service as a reserve officer prohibit distribution of

1 those benefits.

2 190.103. 1. One physician with expertise in emergency  
3 medical services from each of the EMS regions shall be elected by  
4 that region's EMS medical directors to serve as a regional EMS  
5 medical director. The regional EMS medical directors shall  
6 constitute the state EMS medical director's advisory committee  
7 and shall advise the department and their region's ambulance  
8 services on matters relating to medical control and medical  
9 direction in accordance with sections 190.001 to 190.245 and  
10 rules adopted by the department pursuant to sections 190.001 to  
11 190.245. The regional EMS medical director shall serve a term of  
12 four years. The southwest, northwest, and Kansas City regional  
13 EMS medical directors shall be elected to an initial two-year  
14 term. The central, east central, and southeast regional EMS  
15 medical directors shall be elected to an initial four-year term.  
16 All subsequent terms following the initial terms shall be four  
17 years.

18 2. A medical director is required for all ambulance  
19 services and emergency medical response agencies that provide:  
20 advanced life support services; basic life support services  
21 utilizing medications or providing assistance with patients'  
22 medications; or basic life support services performing invasive  
23 procedures including invasive airway procedures. The medical  
24 director shall provide medical direction to these services and  
25 agencies in these instances.

26 3. The medical director, in cooperation with the ambulance  
27 service or emergency medical response agency administrator, shall  
28 have the responsibility and the authority to ensure that the

1 personnel working under their supervision are able to provide  
2 care meeting established standards of care with consideration for  
3 state and national standards as well as local area needs and  
4 resources. The medical director, in cooperation with the  
5 ambulance service or emergency medical response agency  
6 administrator, shall establish and develop triage, treatment and  
7 transport protocols, which may include authorization for standing  
8 orders.

9 4. All ambulance services and emergency medical response  
10 agencies that are required to have a medical director shall  
11 establish an agreement between the service or agency and their  
12 medical director. The agreement will include the roles,  
13 responsibilities and authority of the medical director beyond  
14 what is granted in accordance with sections 190.001 to 190.245  
15 and rules adopted by the department pursuant to sections 190.001  
16 to 190.245. The agreement shall also include grievance  
17 procedures regarding the emergency medical response agency or  
18 ambulance service, personnel and the medical director.

19 5. Regional EMS medical directors elected as provided under  
20 subsection 1 of this section shall be considered public officials  
21 for purposes of sovereign immunity, official immunity, and the  
22 Missouri public duty doctrine defenses.

23 6. The state EMS medical director's advisory committee  
24 shall be considered a peer review committee under section 537.035  
25 and regional EMS medical directors shall be eligible to  
26 participate in the Missouri Patient Safety Organization as  
27 provided under the Patient Safety and Quality Improvement Act of  
28 2005, 42 U.S.C. Section 299, et seq., as amended.



1           7. Regional EMS medical directors may act to provide online  
2 telecommunication medical direction to EMT-Bs, EMT-Is, EMT-Ps,  
3 and community paramedics and provide offline medical direction  
4 per standardized treatment, triage, and transport protocols when  
5 EMS personnel, including EMT-Bs, EMT-Is, or EMT-Ps community  
6 paramedics, are providing care to special needs patients or at  
7 the request of a local EMS agency or medical director.

8           8. When developing treatment protocols for special needs  
9 patients, regional EMS medical directors may promulgate such  
10 protocols on a regional basis across multiple political  
11 subdivisions' jurisdictional boundaries and such protocols may be  
12 used by multiple agencies including, but not limited to,  
13 ambulance services, emergency response agencies, and public  
14 health departments.

15           9. Multiple EMS agencies including, but not limited to,  
16 ambulance services, emergency response agencies, and public  
17 health departments shall take necessary steps to follow the  
18 regional EMS protocols established as provided under subsection 8  
19 of this section in cases of mass casualty or state-declared  
20 disaster incidents.

21           10. When regional EMS medical directors develop and  
22 implement treatment protocols for patients or provide online  
23 medical direction for such patients, such activity shall not be  
24 construed as having usurped local medical direction authority in  
25 any manner.

26           11. Notwithstanding any other provision of law, when  
27 regional EMS medical directors are providing either online  
28 telecommunication medical direction to EMT-Bs, EMT-Is, EMT-Ps,

1 and community paramedics, or offline medical direction per  
2 standardized EMS treatment, triage, and transport protocols for  
3 patients, those medical directions or treatment protocols may  
4 include the administration of the patient's own prescription  
5 medications.

6 190.147. 1. Emergency medical technician paramedics (EMT-  
7 Ps) who have:

8 (1) Completed at least forty hours of the standard crisis  
9 intervention training course as endorsed and developed by the  
10 National Alliance on Mental Illness or a course of training that  
11 the ground or air ambulance service's medical director has  
12 determined to be academically equivalent thereto;

13 (2) Been authorized by their ground or air ambulance  
14 service's administration and medical director under subsection 3  
15 of section 190.103; and

16 (3) Whose ground or air ambulance service has developed and  
17 adopted standardized triage, treatment, and transport protocols  
18 under subsection 3 of section 190.103, which address the  
19 challenge of treating and transporting behavioral health patients  
20 who present a likelihood of serious harm to themselves or others  
21 as the term "likelihood of serious harm" is defined under section  
22 632.005 or who are significantly incapacitated by alcohol or  
23 drugs;

24  
25 may make a good faith determination that such patients shall be  
26 placed into a temporary hold for the sole purposes of transport  
27 to the nearest appropriate facility.

28 2. EMT-Ps who have made a good faith decision for a

1 temporary hold of a patient as authorized by this section shall  
2 no longer have to rely on the common law doctrine of implied  
3 consent and therefore shall not be civilly liable for a good  
4 faith determination made in accordance with this section and  
5 shall not have waived any sovereign immunity defense, official  
6 immunity defense, or Missouri public duty doctrine defense if  
7 employed at the time of the good faith determination by a  
8 governmental employer.

9 3. Any ground or air ambulance service that adopts the  
10 authority and protocols provided for by this section shall have a  
11 memorandum of understanding with applicable local law enforcement  
12 agencies in order to achieve a collaborative and coordinated  
13 response to patients displaying symptoms of either a likelihood  
14 of serious harm to themselves or others or significant  
15 incapacitation by alcohol or drugs, which require a crisis  
16 intervention response.

17 190.165. 1. The department may refuse to issue or deny  
18 renewal of any certificate, permit or license required pursuant  
19 to sections 190.100 to 190.245 for failure to comply with the  
20 provisions of sections 190.100 to 190.245 or any lawful  
21 regulations promulgated by the department to implement its  
22 provisions as described in subsection 2 of this section. The  
23 department shall notify the applicant in writing of the reasons  
24 for the refusal and shall advise the applicant of his or her  
25 right to file a complaint with the administrative hearing  
26 commission as provided by chapter 621.

27 2. The department may cause a complaint to be filed with  
28 the administrative hearing commission as provided by chapter 621

1 against any holder of any certificate, permit or license required  
2 by sections 190.100 to 190.245 or any person who has failed to  
3 renew or has surrendered his or her certificate, permit or  
4 license for failure to comply with the provisions of sections  
5 190.100 to 190.245 or any lawful regulations promulgated by the  
6 department to implement such sections. Those regulations shall  
7 be limited to the following:

8 (1) Use or unlawful possession of any controlled substance,  
9 as defined in chapter 195, or alcoholic beverage to an extent  
10 that such use impairs a person's ability to perform the work of  
11 any activity licensed or regulated by sections 190.100 to  
12 190.245;

13 (2) Being finally adjudicated and found guilty, or having  
14 entered a plea of guilty or nolo contendere, in a criminal  
15 prosecution under the laws of any state or of the United States,  
16 for any offense reasonably related to the qualifications,  
17 functions or duties of any activity licensed or regulated  
18 pursuant to sections 190.100 to 190.245, for any offense an  
19 essential element of which is fraud, dishonesty or an act of  
20 violence, or for any offense involving moral turpitude, whether  
21 or not sentence is imposed;

22 (3) Use of fraud, deception, misrepresentation or bribery  
23 in securing any certificate, permit or license issued pursuant to  
24 sections 190.100 to 190.245 or in obtaining permission to take  
25 any examination given or required pursuant to sections 190.100 to  
26 190.245;

27 (4) Obtaining or attempting to obtain any fee, charge,  
28 tuition or other compensation by fraud, deception or

1 misrepresentation;

2 (5) Incompetency, misconduct, gross negligence, fraud,  
3 misrepresentation or dishonesty in the performance of the  
4 functions or duties of any activity licensed or regulated by  
5 sections 190.100 to 190.245;

6 (6) Violation of, or assisting or enabling any person to  
7 violate, any provision of sections 190.100 to 190.245, or of any  
8 lawful rule or regulation adopted by the department pursuant to  
9 sections 190.100 to 190.245;

10 (7) Impersonation of any person holding a certificate,  
11 permit or license or allowing any person to use his or her  
12 certificate, permit, license or diploma from any school;

13 (8) Disciplinary action against the holder of a license or  
14 other right to practice any activity regulated by sections  
15 190.100 to 190.245 granted by another state, territory, federal  
16 agency or country upon grounds for which revocation or suspension  
17 is authorized in this state;

18 (9) For an individual being finally adjudged insane or  
19 incompetent by a court of competent jurisdiction;

20 (10) Assisting or enabling any person to practice or offer  
21 to practice any activity licensed or regulated by sections  
22 190.100 to 190.245 who is not licensed and currently eligible to  
23 practice pursuant to sections 190.100 to 190.245;

24 (11) Issuance of a certificate, permit or license based  
25 upon a material mistake of fact;

26 (12) Violation of any professional trust, confidence, or  
27 legally protected privacy rights of a patient by means of an  
28 unauthorized or unlawful disclosure;

1 (13) Use of any advertisement or solicitation which is  
2 false, misleading or deceptive to the general public or persons  
3 to whom the advertisement or solicitation is primarily directed;

4 (14) Violation of the drug laws or rules and regulations of  
5 this state, any other state or the federal government;

6 (15) Refusal of any applicant or licensee to respond to  
7 reasonable department of health and senior services' requests for  
8 necessary information to process an application or to determine  
9 license status or license eligibility;

10 (16) Any conduct or practice which is or might be harmful  
11 or dangerous to the mental or physical health or safety of a  
12 patient or the public;

13 (17) Repeated acts of negligence or recklessness in the  
14 performance of the functions or duties of any activity licensed  
15 or regulated by sections 190.100 to 190.245.

16 3. If the department conducts investigations, the  
17 department, prior to interviewing a licensee who is the subject  
18 of the investigation, shall explain to the licensee that he or  
19 she has the right to:

20 (1) Consult legal counsel or have legal counsel present;

21 (2) Have anyone present whom he or she deems to be  
22 necessary or desirable[, except for any holder of any  
23 certificate, permit, or license required by sections 190.100 to  
24 190.245]; and

25 (3) Refuse to answer any question or refuse to provide or  
26 sign any written statement.

27  
28 The assertion of any right listed in this subsection shall not be

1 deemed by the department to be a failure to cooperate with any  
2 department investigation.

3 4. After the filing of such complaint, the proceedings  
4 shall be conducted in accordance with the provisions of chapter  
5 621. Upon a finding by the administrative hearing commission  
6 that the grounds, provided in subsection 2 of this section, for  
7 disciplinary action are met, the department may, singly or in  
8 combination, censure or place the person named in the complaint  
9 on probation on such terms and conditions as the department deems  
10 appropriate for a period not to exceed five years, or may  
11 suspend, for a period not to exceed three years, or revoke the  
12 license, certificate or permit. Notwithstanding any provision of  
13 law to the contrary, the department shall be authorized to impose  
14 a suspension or revocation as a disciplinary action only if it  
15 first files the requisite complaint with the administrative  
16 hearing commission. The administrative hearing commission shall  
17 hear all relevant evidence on remediation activities of the  
18 licensee and shall make a recommendation to the department of  
19 health and senior services as to licensure disposition based on  
20 such evidence.

21 5. An individual whose license has been revoked shall wait  
22 one year from the date of revocation to apply for relicensure.  
23 Relicensure shall be at the discretion of the department after  
24 compliance with all the requirements of sections 190.100 to  
25 190.245 relative to the licensing of an applicant for the first  
26 time. Any individual whose license has been revoked twice within  
27 a ten-year period shall not be eligible for relicensure.

28 6. The department may notify the proper licensing authority

1 of any other state in which the person whose license was  
2 suspended or revoked was also licensed of the suspension or  
3 revocation.

4 7. Any person, organization, association or corporation who  
5 reports or provides information to the department pursuant to the  
6 provisions of sections 190.100 to 190.245 and who does so in good  
7 faith shall not be subject to an action for civil damages as a  
8 result thereof.

9 8. The department of health and senior services may suspend  
10 any certificate, permit or license required pursuant to sections  
11 190.100 to 190.245 simultaneously with the filing of the  
12 complaint with the administrative hearing commission as set forth  
13 in subsection 2 of this section, if the department finds that  
14 there is an imminent threat to the public health. The notice of  
15 suspension shall include the basis of the suspension and notice  
16 of the right to appeal such suspension. The licensee may appeal  
17 the decision to suspend the license, certificate or permit to the  
18 department. The appeal shall be filed within ten days from the  
19 date of the filing of the complaint. A hearing shall be  
20 conducted by the department within ten days from the date the  
21 appeal is filed. The suspension shall continue in effect until  
22 the conclusion of the proceedings, including review thereof,  
23 unless sooner withdrawn by the department, dissolved by a court  
24 of competent jurisdiction or stayed by the administrative hearing  
25 commission.

26 252.069. Any agent of the conservation commission may  
27 enforce the provisions of sections 577.070 and 577.080 and arrest  
28 violators only upon the water, the banks thereof, or upon public



1 land.

2 302.441. 1. If a person is required to have an ignition  
3 interlock device installed on such person's vehicle, he or she  
4 may apply to the court for an employment exemption variance to  
5 allow him or her to drive an employer-owned vehicle not equipped  
6 with an ignition interlock device for employment purposes only.  
7 Such exemption shall not be granted to a person who is  
8 self-employed or who wholly or partially owns or controls an  
9 entity that owns an employer-owned vehicle.

10 2. A person who is granted an employment exemption variance  
11 under subsection 1 of this section shall not drive, operate, or  
12 be in physical control of an employer-owned vehicle used for  
13 transporting children under eighteen years of age or vulnerable  
14 persons, as defined in section 630.005, or an employer-owned  
15 vehicle for personal use.

16 488.5320. 1. Sheriffs, county marshals or other officers  
17 shall be allowed a charge for their services rendered in criminal  
18 cases and in all proceedings for contempt or attachment, as  
19 required by law, the sum of seventy-five dollars for each felony  
20 case or contempt or attachment proceeding, ten dollars for each  
21 misdemeanor case, and six dollars for each infraction, including  
22 cases disposed of by a violations bureau established pursuant to  
23 law or supreme court rule. Such charges shall be charged and  
24 collected in the manner provided by sections 488.010 to 488.020  
25 and shall be payable to the county treasury; except that, those  
26 charges from cases disposed of by a violations bureau shall be  
27 distributed as follows: one-half of the charges collected shall  
28 be forwarded and deposited to the credit of the MODEX fund

1 established in subsection 6 of this section for the operational  
2 cost of the Missouri data exchange (MODEX) system, and one-half  
3 of the charges collected shall be deposited to the credit of the  
4 inmate security fund, established in section 488.5026, of the  
5 county or municipal political subdivision from which the citation  
6 originated. If the county or municipal political subdivision has  
7 not established an inmate security fund, all of the funds shall  
8 be deposited in the MODEX fund.

9 2. [Notwithstanding subsection 1 of this section to the  
10 contrary, sheriffs, county marshals, or other officers in any  
11 county with a charter form of government and with more than nine  
12 hundred fifty thousand inhabitants or in any city not within a  
13 county shall not be allowed a charge for their services rendered  
14 in cases disposed of by a violations bureau established pursuant  
15 to law or supreme court rule.

16 3.] The sheriff receiving any charge pursuant to subsection  
17 1 of this section shall reimburse the sheriff of any other county  
18 or the City of St. Louis the sum of three dollars for each  
19 pleading, writ, summons, order of court or other document served  
20 in connection with the case or proceeding by the sheriff of the  
21 other county or city, and return made thereof, to the maximum  
22 amount of the total charge received pursuant to subsection 1 of  
23 this section.

24 [4.] 3. The charges provided in subsection 1 of this  
25 section shall be taxed as other costs in criminal proceedings  
26 immediately upon a plea of guilty or a finding of guilt of any  
27 defendant in any criminal procedure. The clerk shall tax all the  
28 costs in the case against such defendant, which shall be

1 collected and disbursed as provided by sections 488.010 to  
2 488.020; provided, that no such charge shall be collected in any  
3 proceeding in any court when the proceeding or the defendant has  
4 been dismissed by the court; provided further, that all costs,  
5 incident to the issuing and serving of writs of scire facias and  
6 of writs of fieri facias, and of attachments for witnesses of  
7 defendant, shall in no case be paid by the state, but such costs  
8 incurred under writs of fieri facias and scire facias shall be  
9 paid by the defendant and such defendant's sureties, and costs  
10 for attachments for witnesses shall be paid by such witnesses.

11 [5.] 4. Mileage shall be reimbursed to sheriffs, county  
12 marshals and guards for all services rendered pursuant to this  
13 section at the rate prescribed by the Internal Revenue Service  
14 for allowable expenses for motor vehicle use expressed as an  
15 amount per mile.

16 [6.] 5. (1) There is hereby created in the state treasury  
17 the "MODEX Fund", which shall consist of money collected under  
18 subsection 1 of this section. The fund shall be administered by  
19 the peace officers standards and training commission established  
20 in section 590.120. The state treasurer shall be custodian of  
21 the fund. In accordance with sections 30.170 and 30.180, the  
22 state treasurer may approve disbursements. The fund shall be a  
23 dedicated fund and, upon appropriation, money in the fund shall  
24 be used solely for the operational support and expansion of the  
25 MODEX system.

26 (2) Notwithstanding the provisions of section 33.080 to the  
27 contrary, any moneys remaining in the fund at the end of the  
28 biennium shall not revert to the credit of the general revenue

1 fund.

2 (3) The state treasurer shall invest moneys in the fund in  
3 the same manner as other funds are invested. Any interest and  
4 moneys earned on such investments shall be credited to the fund.

5 6. The MODEX fund may accept funds from federal, state,  
6 local, and private entities which utilize the information from  
7 the fund to fight fraud and other activities which are in the  
8 best interest of law enforcement or the state of Missouri.

9 7. Any information in MODEX which is open under the  
10 provisions of chapter 610 is considered open and is not Criminal  
11 Justice Information Services data. Any information in MODEX may  
12 be shared with any other law enforcement agency, division, or  
13 department of the state of Missouri, or other entity approved by  
14 the peace officer standards and training commission, for the  
15 purpose of anti-fraud efforts.

16 513.653. 1. Law enforcement agencies involved in using the  
17 federal forfeiture system under federal law shall file a report  
18 regarding federal seizures and the proceeds therefrom. Such  
19 report shall be filed annually by ~~January thirty-first~~ February  
20 fifteenth for the previous calendar year with the ~~department of~~  
21 ~~public safety and the~~ state auditor's office. The report for  
22 the calendar year shall ~~include the type and value of items~~  
23 ~~seized and turned over to the federal forfeiture system, the~~  
24 ~~beginning balance as of January first of federal forfeiture funds~~  
25 ~~or assets previously received and not expended or used, the~~  
26 ~~proceeds received from the federal government (the equitable~~  
27 ~~sharing amount), the expenditures resulting from the proceeds~~  
28 ~~received, and the ending balance as of December thirty-first of~~

1 federal forfeiture funds or assets on hand. The department of  
2 public safety shall not issue funds to any law enforcement agency  
3 that fails to comply with the provisions of this section] consist  
4 of a copy of the federal form entitled "ACA Form - Equitable  
5 Sharing Agreement and Certification" which is identical to the  
6 form submitted in that year to the federal government.

7 2. [Intentional] Any law enforcement agency that  
8 intentionally or [knowing failure] knowingly fails to comply with  
9 the reporting requirement contained in this section shall be [a  
10 class A misdemeanor, punishable by a fine of up to one thousand  
11 dollars] ineligible to receive state or federal funds which would  
12 otherwise be paid to such agency for law enforcement, safety, or  
13 criminal justice purposes.

14 544.671. Notwithstanding any supreme court rule or judicial  
15 ruling to the contrary, no defendant under a sentence of death or  
16 imprisonment in the penitentiary for life, or any sentence of  
17 imprisonment for a violation of section 579.065, 565.021, [or]  
18 565.050, 565.052 in which the victim is a law enforcement  
19 officer, firefighter, or emergency medical service provider  
20 assaulted in the performance of his or her official duties or as  
21 a direct result of such official duties, 565.054 in which the  
22 victim is a law enforcement officer, firefighter, or emergency  
23 medical service provider assaulted in the performance of his or  
24 her official duties or as a direct result of such official  
25 duties, 565.056 in which the victim is a law enforcement officer,  
26 firefighter, or emergency medical service provider assaulted in  
27 the performance of his or her official duties or as a direct  
28 result of such official duties, section 566.030, 566.032,

1 566.040, 566.060, 566.062, 566.070, or 566.100, and no defendant  
2 who has pled guilty to or been found guilty of any felony sexual  
3 offense under chapter 566, where the victim was less than  
4 seventeen years of age at the time the crime was committed, any  
5 sexual offense under chapter 568, where the victim was less than  
6 seventeen years of age at the time the crime was committed, or  
7 any pornographic offense involving a minor as set forth in  
8 sections 573.023, 573.025, 573.035, and 573.037, and any felony  
9 violation of section 573.040, shall be entitled to bail pending  
10 appeal after June 29, 1994. Pursuant to the prerogative of the  
11 general assembly to declare the public policy of this state in  
12 matters regarding criminal liability of persons and to enact laws  
13 relating to judicial procedure, the general assembly declares  
14 that subsequent to June 29, 1994, no person shall be entitled to  
15 bail or continuation of bail pursuant to section 547.170 if that  
16 person is under a sentence of death or imprisonment in the  
17 penitentiary for life, or any sentence of imprisonment for a  
18 violation of section 579.065, 565.021, [or] 565.050, 565.052 in  
19 which the victim is a law enforcement officer, firefighter, or  
20 emergency medical service provider assaulted in the performance  
21 of his or her official duties or as a direct result of such  
22 official duties, 565.054 in which the victim is a law enforcement  
23 officer, firefighter, or emergency medical service provider  
24 assaulted in the performance of his or her official duties or as  
25 a direct result of such official duties, 565.056 in which the  
26 victim is a law enforcement officer, firefighter, or emergency  
27 medical service provider assaulted in the performance of his or  
28 her official duties or as a direct result of such official

1 duties, section 566.030, 566.032, 566.040, 566.060, 566.062,  
2 566.070, or 566.100, and no defendant who has pled guilty to or  
3 been found guilty of any felony sexual offense under chapter 566,  
4 where the victim was less than seventeen years of age at the time  
5 the crime was committed, any sexual offense under chapter 568,  
6 where the victim was less than seventeen years of age at the time  
7 the crime was committed, or any pornographic offense involving a  
8 minor as set forth in sections 573.023, 573.025, 573.035, and  
9 573.037, and any felony violation of section 573.040.

10 565.050. 1. A person commits the offense of assault in the  
11 first degree if he or she attempts to kill or knowingly causes or  
12 attempts to cause serious physical injury to another person.

13 2. The offense of assault in the first degree is a class B  
14 felony unless in the course thereof the person inflicts serious  
15 physical injury on the victim, or if the victim of such assault  
16 is a special victim, as the term "special victim" is defined  
17 under section 565.002, in which case it is a class A felony.

18 3. Persons found guilty under this section shall not be  
19 eligible for probation or parole if the victim was a law  
20 enforcement officer, firefighter, or emergency medical service  
21 provider assaulted in the performance of his or her official  
22 duties or as a direct result of such official duties.

23 565.052. 1. A person commits the offense of assault in the  
24 second degree if he or she:

25 (1) Attempts to kill or knowingly causes or attempts to  
26 cause serious physical injury to another person under the  
27 influence of sudden passion arising out of adequate cause; or

28 (2) Attempts to cause or knowingly causes physical injury

1 to another person by means of a deadly weapon or dangerous  
2 instrument; or

3 (3) Recklessly causes serious physical injury to another  
4 person; or

5 (4) Recklessly causes physical injury to another person by  
6 means of discharge of a firearm.

7 2. The defendant shall have the burden of injecting the  
8 issue of influence of sudden passion arising from adequate cause  
9 under subdivision (1) of subsection 1 of this section.

10 3. The offense of assault in the second degree is a class D  
11 felony, unless the victim of such assault is a special victim, as  
12 the term "special victim" is defined under section 565.002, in  
13 which case it is a class B felony.

14 4. Persons found guilty under this section shall not be  
15 eligible for probation or parole if the victim was a law  
16 enforcement officer, firefighter, or emergency medical service  
17 provider assaulted in the performance of his or her official  
18 duties or as a direct result of such official duties.

19 565.054. 1. A person commits the offense of assault in the  
20 third degree if he or she knowingly causes physical injury to  
21 another person.

22 2. The offense of assault in the third degree is a class E  
23 felony, unless the victim of such assault is a special victim, as  
24 the term "special victim" is defined under section 565.002, in  
25 which case it is a class D felony.

26 3. Persons found guilty under this section shall not be  
27 eligible for probation or parole if the victim was a law  
28 enforcement officer, firefighter, or emergency medical service



1 provider assaulted in the performance of his or her official  
2 duties or as a direct result of such official duties.

3 565.056. 1. A person commits the offense of assault in the  
4 fourth degree if:

5 (1) The person attempts to cause or recklessly causes  
6 physical injury, physical pain, or illness to another person;

7 (2) With criminal negligence the person causes physical  
8 injury to another person by means of a firearm;

9 (3) The person purposely places another person in  
10 apprehension of immediate physical injury;

11 (4) The person recklessly engages in conduct which creates  
12 a substantial risk of death or serious physical injury to another  
13 person;

14 (5) The person knowingly causes or attempts to cause  
15 physical contact with a person with a disability, which a  
16 reasonable person, who does not have a disability, would consider  
17 offensive or provocative; or

18 (6) The person knowingly causes physical contact with  
19 another person knowing the other person will regard the contact  
20 as offensive or provocative.

21 2. Except as provided in subsection 3 of this section,  
22 assault in the fourth degree is a class A misdemeanor.

23 3. Violation of the provisions of subdivision (3) or (6) of  
24 subsection 1 of this section is a class C misdemeanor unless the  
25 victim is a special victim, as the term "special victim" is  
26 defined under section 565.002, in which case a violation of such  
27 provisions is a class A misdemeanor.

28 4. Persons found guilty under this section shall not be

1 eligible for probation or parole if the victim was a law  
2 enforcement officer, firefighter, or emergency medical service  
3 provider assaulted in the performance of his or her official  
4 duties or as a direct result of such official duties.

5 575.150. 1. A person commits the offense of resisting or  
6 interfering with arrest, detention, or stop if he or she knows or  
7 reasonably should know that a law enforcement officer is making  
8 an arrest or attempting to lawfully detain or stop an individual  
9 or vehicle, and for the purpose of preventing the officer from  
10 effecting the arrest, stop or detention, he or she:

11 (1) Resists the arrest, stop or detention of such person by  
12 using or threatening the use of violence or physical force or by  
13 fleeing from such officer; or

14 (2) Interferes with the arrest, stop or detention of  
15 another person by using or threatening the use of violence,  
16 physical force or physical interference.

17 2. This section applies to:

18 (1) Arrests, stops, or detentions, with or without  
19 warrants;

20 (2) Arrests, stops, or detentions, for any offense,  
21 infraction, or ordinance violation; and

22 (3) Arrests for warrants issued by a court or a probation  
23 and parole officer.

24 3. A person is presumed to be fleeing a vehicle stop if he  
25 or she continues to operate a motor vehicle after he or she has  
26 seen or should have seen clearly visible emergency lights or has  
27 heard or should have heard an audible signal emanating from the  
28 law enforcement vehicle pursuing him or her.

1           4. It is no defense to a prosecution pursuant to subsection  
2 1 of this section that the law enforcement officer was acting  
3 unlawfully in making the arrest. However, nothing in this  
4 section shall be construed to bar civil suits for unlawful  
5 arrest.

6           5. The offense of resisting or interfering with an arrest  
7 is a class E felony for an arrest for a:

8           (1) Felony;

9           (2) Warrant issued for failure to appear on a felony case;  
10 or

11           (3) Warrant issued for a probation violation on a felony  
12 case.

13  
14 The offense of resisting an arrest, detention or stop in  
15 violation of subdivision (1) or (2) of subsection 1 of this  
16 section is a class A misdemeanor, unless the person fleeing  
17 creates a substantial risk of serious physical injury or death to  
18 any person, in which case it is a class E felony.

19           6. Persons found guilty under this section shall not be  
20 eligible for probation or parole.

21           590.1040. 1. For purposes of this section, the following  
22 terms mean:

23           (1) "Emergency services personnel", any employee or  
24 volunteer of an emergency services provider who is engaged in  
25 providing or supporting firefighting, dispatching services, and  
26 emergency medical services;

27           (2) "Emergency services provider", any public employer that  
28 employs persons to provide firefighting, dispatching services,

1 and emergency medical services;

2 (3) "Employee assistance program", a program established by  
3 a law enforcement agency or emergency services provider to  
4 provide professional counseling or support services to employees  
5 of a law enforcement agency, emergency services provider, or a  
6 professional mental health provider associated with a peer  
7 support team;

8 (4) "Law enforcement agency", any public agency that  
9 employs law enforcement personnel;

10 (5) "Law enforcement personnel", any person who by virtue  
11 of office or public employment is vested by law with a duty to  
12 maintain public order or to make arrests for violation of the  
13 laws of the state of Missouri or ordinances of any municipality  
14 thereof, or with a duty to maintain or assert custody or  
15 supervision over persons accused or convicted of a crime, while  
16 acting within the scope of his or her authority as an employee or  
17 volunteer of a law enforcement agency;

18 (6) "Peer support counseling session", any session  
19 conducted by a peer support specialist that is called or  
20 requested in response to a critical incident or traumatic event  
21 involving the personnel of the law enforcement agency or  
22 emergency services provider;

23 (7) "Peer support specialist", a person who:

24 (a) Is designated by a law enforcement agency, emergency  
25 services provider, employee assistance program, or peer support  
26 team leader to lead, moderate, or assist in a peer support  
27 counseling session;

28 (b) Is a member of a peer support team; and

1       (c) Has received training in counseling and providing  
2 emotional and moral support to law enforcement officers or  
3 emergency services personnel who have been involved in  
4 emotionally traumatic incidents by reason of his or her  
5 employment;

6       (8) "Peer support team", a group of peer support  
7 specialists serving one or more law enforcement providers or  
8 emergency services providers.

9       2. Any communication made by a participant or peer support  
10 specialist in a peer support counseling session, and any oral or  
11 written information conveyed in or as the result of a peer  
12 support counseling session, are confidential and may not be  
13 disclosed by any person participating in the peer support  
14 counseling session.

15       3. Any communication relating to a peer support counseling  
16 session that is made between peer support specialists, between  
17 peer support specialists and the supervisors or staff of an  
18 employee assistance program, or between the supervisors or staff  
19 of an employee assistance program, is confidential and may not be  
20 disclosed.

21       4. The provisions of this section shall apply only to peer  
22 support counseling sessions conducted by a peer support  
23 specialist.

24       5. The provisions of this section shall apply to all oral  
25 communications, notes, records, and reports arising out of a peer  
26 support counseling session. Any notes, records or reports  
27 arising out of a peer support counseling session shall not be  
28 public records and shall not be subject to the provisions of

1 chapter 610. Nothing in this section limits the discovery or  
2 introduction into evidence of knowledge acquired by any law  
3 enforcement personnel or emergency services personnel from  
4 observation made during the course of employment, or material or  
5 information acquired during the course of employment, that is  
6 otherwise subject to discovery or introduction into evidence.

7 6. The provisions of this section shall not apply to any:

8 (1) Threat of suicide or criminal act made by a participant  
9 in a peer support counseling session, or any information conveyed  
10 in a peer support counseling session relating to a threat of  
11 suicide or criminal act;

12 (2) Information relating to abuse of spouses, children, or  
13 the elderly, or other information that is required to be reported  
14 by law;

15 (3) Admission of criminal conduct;

16 (4) Disclosure of testimony by a participant who received  
17 peer support counseling services and expressly consented to such  
18 disclosure; or

19 (5) Disclosure of testimony by the surviving spouse or  
20 executor or administrator of the estate of a deceased participant  
21 who received peer support counseling services and such surviving  
22 spouse or executor or administrator expressly consented to such  
23 disclosure.

24 7. The provisions of this section shall not prohibit any  
25 communications between peer support specialists who conduct peer  
26 support counseling sessions or any communications between peer  
27 support specialists and the supervisors or staff of an employee  
28 assistance program.

1           8. The provisions of this section shall not prohibit  
2 communications regarding fitness of an employee for duty between  
3 an employee assistance program and an employer.

4           650.055. 1. Every individual who:

5           (1) Is found guilty of a felony or any offense under  
6 chapter 566; or

7           (2) Is seventeen years of age or older and arrested for  
8 [burglary in the first degree under section 569.160, or burglary  
9 in the second degree under section 569.170, or] a felony offense  
10 [under chapter 565, 566, 567, 568, or 573]; or

11           (3) Has been determined to be a sexually violent predator  
12 pursuant to sections 632.480 to 632.513; or

13           (4) Is an individual required to register as a sexual  
14 offender under sections 589.400 to 589.425;  
15 shall have a fingerprint and blood or scientifically accepted  
16 biological sample collected for purposes of DNA profiling  
17 analysis.

18           2. Any individual subject to DNA collection and profiling  
19 analysis under this section shall provide a DNA sample:

20           (1) Upon booking at a county jail or detention facility; or

21           (2) Upon entering or before release from the department of  
22 corrections reception and diagnostic centers; or

23           (3) Upon entering or before release from a county jail or  
24 detention facility, state correctional facility, or any other  
25 detention facility or institution, whether operated by a private,  
26 local, or state agency, or any mental health facility if  
27 committed as a sexually violent predator pursuant to sections  
28 632.480 to 632.513; or

1           (4) When the state accepts a person from another state  
2 under any interstate compact, or under any other reciprocal  
3 agreement with any county, state, or federal agency, or any other  
4 provision of law, whether or not the person is confined or  
5 released, the acceptance is conditional on the person providing a  
6 DNA sample if the person was found guilty of a felony offense in  
7 any other jurisdiction; or

8           (5) If such individual is under the jurisdiction of the  
9 department of corrections. Such jurisdiction includes persons  
10 currently incarcerated, persons on probation, as defined in  
11 section 217.650, and on parole, as also defined in section  
12 217.650; or

13           (6) At the time of registering as a sex offender under  
14 sections 589.400 to 589.425.

15           3. The Missouri state highway patrol and department of  
16 corrections shall be responsible for ensuring adherence to the  
17 law. Any person required to provide a DNA sample pursuant to  
18 this section shall be required to provide such sample, without  
19 the right of refusal, at a collection site designated by the  
20 Missouri state highway patrol and the department of corrections.  
21 Authorized personnel collecting or assisting in the collection of  
22 samples shall not be liable in any civil or criminal action when  
23 the act is performed in a reasonable manner. Such force may be  
24 used as necessary to the effectual carrying out and application  
25 of such processes and operations. The enforcement of these  
26 provisions by the authorities in charge of state correctional  
27 institutions and others having custody or jurisdiction over  
28 individuals included in subsection 1 of this section which shall



1 not be set aside or reversed is hereby made mandatory. The board  
2 of probation or parole shall recommend that an individual on  
3 probation or parole who refuses to provide a DNA sample have his  
4 or her probation or parole revoked. In the event that a person's  
5 DNA sample is not adequate for any reason, the person shall  
6 provide another sample for analysis.

7 4. The procedure and rules for the collection, analysis,  
8 storage, expungement, use of DNA database records and privacy  
9 concerns shall not conflict with procedures and rules applicable  
10 to the Missouri DNA profiling system and the Federal Bureau of  
11 Investigation's DNA databank system.

12 5. Unauthorized use or dissemination of individually  
13 identifiable DNA information in a database for purposes other  
14 than criminal justice or law enforcement is a class A  
15 misdemeanor.

16 6. Implementation of sections 650.050 to 650.100 shall be  
17 subject to future appropriations to keep Missouri's DNA system  
18 compatible with the Federal Bureau of Investigation's DNA  
19 databank system.

20 7. All DNA records and biological materials retained in the  
21 DNA profiling system are considered closed records pursuant to  
22 chapter 610. All records containing any information held or  
23 maintained by any person or by any agency, department, or  
24 political subdivision of the state concerning an individual's DNA  
25 profile shall be strictly confidential and shall not be  
26 disclosed, except to:

27 (1) Peace officers, as defined in section 590.010, and  
28 other employees of law enforcement agencies who need to obtain

1 such records to perform their public duties;

2 (2) The attorney general or any assistant attorneys general  
3 acting on his or her behalf, as defined in chapter 27;

4 (3) Prosecuting attorneys or circuit attorneys as defined  
5 in chapter 56, and their employees who need to obtain such  
6 records to perform their public duties;

7 (4) The individual whose DNA sample has been collected, or  
8 his or her attorney; or

9 (5) Associate circuit judges, circuit judges, judges of the  
10 courts of appeals, supreme court judges, and their employees who  
11 need to obtain such records to perform their public duties.

12 8. Any person who obtains records pursuant to the  
13 provisions of this section shall use such records only for  
14 investigative and prosecutorial purposes, including but not  
15 limited to use at any criminal trial, hearing, or proceeding; or  
16 for law enforcement identification purposes, including  
17 identification of human remains. Such records shall be  
18 considered strictly confidential and shall only be released as  
19 authorized by this section.

20 9. An individual may request expungement of his or her DNA  
21 sample and DNA profile through the court issuing the reversal or  
22 dismissal. A certified copy of the court order establishing that  
23 such conviction has been reversed or guilty plea has been set  
24 aside shall be sent to the Missouri state highway patrol crime  
25 laboratory. Upon receipt of the court order, the laboratory will  
26 determine that the requesting individual has no other qualifying  
27 offense as a result of any separate plea or conviction and no  
28 other qualifying arrest prior to expungement.

1           (1) A person whose DNA record or DNA profile has been  
2 included in the state DNA database in accordance with this  
3 section and sections 650.050, 650.052, and 650.100 may request  
4 expungement on the grounds that the conviction has been reversed,  
5 or the guilty plea on which the authority for including that  
6 person's DNA record or DNA profile was based has been set aside.

7           (2) Upon receipt of a written request for expungement, a  
8 certified copy of the final court order reversing the conviction  
9 or setting aside the plea and any other information necessary to  
10 ascertain the validity of the request, the Missouri state highway  
11 patrol crime laboratory shall expunge all DNA records and  
12 identifiable information in the state DNA database pertaining to  
13 the person and destroy the DNA sample of the person, unless the  
14 Missouri state highway patrol determines that the person is  
15 otherwise obligated to submit a DNA sample. Within thirty days  
16 after the receipt of the court order, the Missouri state highway  
17 patrol shall notify the individual that it has expunged his or  
18 her DNA sample and DNA profile, or the basis for its  
19 determination that the person is otherwise obligated to submit a  
20 DNA sample.

21           (3) The Missouri state highway patrol is not required to  
22 destroy any item of physical evidence obtained from a DNA sample  
23 if evidence relating to another person would thereby be  
24 destroyed.

25           (4) Any identification, warrant, arrest, or evidentiary use  
26 of a DNA match derived from the database shall not be excluded or  
27 suppressed from evidence, nor shall any conviction be invalidated  
28 or reversed or plea set aside due to the failure to expunge or a

1 delay in expunging DNA records.

2 10. When a DNA sample is taken from an individual pursuant  
3 to subdivision (2) of subsection 1 of this section and the  
4 prosecutor declines prosecution and notifies the arresting agency  
5 of that decision, the arresting agency shall notify the Missouri  
6 state highway patrol crime laboratory within ninety days of  
7 receiving such notification. Within thirty days of being  
8 notified by the arresting agency that the prosecutor has declined  
9 prosecution, the Missouri state highway patrol crime laboratory  
10 shall determine whether the individual has any other qualifying  
11 offenses or arrests that would require a DNA sample to be taken  
12 and retained. If the individual has no other qualifying offenses  
13 or arrests, the crime laboratory shall expunge all DNA records in  
14 the database taken at the arrest for which the prosecution was  
15 declined pertaining to the person and destroy the DNA sample of  
16 such person.

17 11. When a DNA sample is taken of an arrestee for any  
18 offense listed under subsection 1 of this section and charges are  
19 filed:

20 (1) If the charges are later withdrawn, the prosecutor  
21 shall notify the state highway patrol crime laboratory that such  
22 charges have been withdrawn;

23 (2) If the case is dismissed, the court shall notify the  
24 state highway patrol crime laboratory of such dismissal;

25 (3) If the court finds at the preliminary hearing that  
26 there is no probable cause that the defendant committed the  
27 offense, the court shall notify the state highway patrol crime  
28 laboratory of such finding;

1           (4) If the defendant is found not guilty, the court shall  
2 notify the state highway patrol crime laboratory of such verdict.  
3 If the state highway patrol crime laboratory receives notice  
4 under this subsection, such crime laboratory shall determine,  
5 within thirty days, whether the individual has any other  
6 qualifying offenses or arrests that would require a DNA sample to  
7 be taken. If the individual has no other qualifying arrests or  
8 offenses, the crime laboratory shall expunge all DNA records in  
9 the database pertaining to such person and destroy the person's  
10 DNA sample.

11           650.330. 1. The committee for 911 service oversight shall  
12 consist of sixteen members, one of which shall be chosen from the  
13 department of public safety who shall serve as chair of the  
14 committee and only vote in the instance of a tie vote among the  
15 other members, and the other members shall be selected as  
16 follows:

17           (1) One member chosen to represent an association domiciled  
18 in this state whose primary interest relates to counties;

19           (2) One member chosen to represent the Missouri public  
20 service commission;

21           (3) One member chosen to represent emergency medical  
22 services;

23           (4) One member chosen to represent an association with a  
24 chapter domiciled in this state whose primary interest relates to  
25 a national emergency number;

26           (5) One member chosen to represent an association whose  
27 primary interest relates to issues pertaining to fire chiefs;

28           (6) One member chosen to represent an association with a

1 chapter domiciled in this state whose primary interest relates to  
2 issues pertaining to public safety communications officers;

3 (7) One member chosen to represent an association whose  
4 primary interest relates to issues pertaining to police chiefs;

5 (8) One member chosen to represent a league or association  
6 domiciled in this state whose primary interest relates to issues  
7 pertaining to municipalities;

8 (9) One member chosen to represent an association domiciled  
9 in this state whose primary interest relates to issues pertaining  
10 to sheriffs;

11 (10) One member chosen to represent 911 service providers  
12 in counties of the second, third and fourth classification;

13 (11) One member chosen to represent 911 service providers  
14 in counties of the first classification, with and without charter  
15 forms of government, and cities not within a county;

16 (12) One member chosen to represent telecommunications  
17 service providers with at least one hundred thousand access lines  
18 located within Missouri;

19 (13) One member chosen to represent telecommunications  
20 service providers with less than one hundred thousand access  
21 lines located within Missouri;

22 (14) One member chosen to represent a professional  
23 association of physicians who conduct with emergency care; and

24 (15) One member chosen to represent the general public of  
25 Missouri who represents an association whose primary interest  
26 relates to education and training, including that of 911, police  
27 and fire dispatchers.

28 2. Each of the members of the committee for 911 service

1 oversight shall be appointed by the governor with the advice and  
2 consent of the senate for a term of four years; except that, of  
3 those members first appointed, four members shall be appointed to  
4 serve for one year, four members shall be appointed to serve for  
5 two years, four members shall be appointed to serve for three  
6 years and four members shall be appointed to serve for four  
7 years. Members of the committee may serve multiple terms.

8 3. The committee for 911 service oversight shall meet at  
9 least quarterly at a place and time specified by the chairperson  
10 of the committee and it shall keep and maintain records of such  
11 meetings, as well as the other activities of the committee.  
12 Members shall not be compensated but shall receive actual and  
13 necessary expenses for attending meetings of the committee.

14 4. The committee for 911 service oversight shall:

15 (1) Organize and adopt standards governing the committee's  
16 formal and informal procedures;

17 (2) Provide recommendations for primary answering points  
18 and secondary answering points on statewide technical and  
19 operational standards for 911 services;

20 (3) Provide recommendations to public agencies concerning  
21 model systems to be considered in preparing a 911 service plan;

22 (4) Provide requested mediation services to political  
23 subdivisions involved in jurisdictional disputes regarding the  
24 provision of 911 services, except that such committee shall not  
25 supersede decision-making authority of local political  
26 subdivisions in regard to 911 services;

27 (5) Provide assistance to the governor and the general  
28 assembly regarding 911 services;

1           (6) Review existing and proposed legislation and make  
2 recommendations as to changes that would improve such  
3 legislation;

4           (7) Aid and assist in the timely collection and  
5 dissemination of information relating to the use of a universal  
6 emergency telephone number;

7           (8) Perform other duties as necessary to promote successful  
8 development, implementation and operation of 911 systems across  
9 the state; [and]

10           (9) Designate a state 911 coordinator who shall be  
11 responsible for overseeing statewide 911 operations and ensuring  
12 compliance with federal grants for 911 funding; and

13           (10) Advise the department of public safety on establishing  
14 rules and regulations necessary to administer the provisions of  
15 sections 650.320 to 650.340.

16           5. The department of public safety shall provide staff  
17 assistance to the committee for 911 service oversight as  
18 necessary in order for the committee to perform its duties  
19 pursuant to sections 650.320 to 650.340.

20           6. The department of public safety is authorized to adopt  
21 those rules that are reasonable and necessary to accomplish the  
22 limited duties specifically delegated within section 650.340.  
23 Any rule or portion of a rule, as that term is defined in section  
24 536.010, shall become effective only if it has been promulgated  
25 pursuant to the provisions of chapter 536. This section and  
26 chapter 536 are nonseverable and if any of the powers vested with  
27 the general assembly pursuant to chapter 536 to review, to delay  
28 the effective date or to disapprove and annul a rule are



1 subsequently held unconstitutional, then the grant of rulemaking  
2 authority and any rule proposed or adopted after August 28, 1999,  
3 shall be invalid and void.

4 650.520. 1. There is hereby created a statewide program  
5 called the "Blue Alert System" referred to in this section as the  
6 "system" to aid in the identification, location, and apprehension  
7 of any individual or individuals suspected of killing or  
8 seriously wounding any local, state, or federal law enforcement  
9 officer.

10 2. For the purposes of this section, "law enforcement  
11 officer" means any public servant having both the power and duty  
12 to make arrests for violations of the laws of this state, and  
13 federal law enforcement officers authorized to carry firearms and  
14 to make arrests for violations of the laws of the United States.

15 3. The department of public safety shall develop regions to  
16 provide the system. The department of public safety shall  
17 coordinate local law enforcement agencies and public commercial  
18 television and radio broadcasters to provide an effective system.  
19 In the event that a local law enforcement agency opts not to set  
20 up a system and a killing or serious wounding of a law  
21 enforcement officer occurs within the jurisdiction, it shall  
22 notify the department of public safety who will notify local  
23 media in the region.

24 4. The blue alert system shall include all state agencies  
25 capable of providing urgent and timely information to the public  
26 together with broadcasters and other private entities that  
27 volunteer to participate in the dissemination of urgent public  
28 information. At a minimum, the blue alert system shall include

1 the department of public safety, highway patrol, department of  
2 transportation, and Missouri lottery.

3 5. The department of public safety shall have the authority  
4 to develop, implement, and manage the blue alert system.

5 6. Participation in a blue alert system is entirely at the  
6 option of local law enforcement agencies, federally licensed  
7 radio and television broadcasters, and other private entities  
8 that volunteer to participate in the dissemination of urgent  
9 public information.

10 7. Any person who knowingly makes a false report that  
11 triggers an alert under this section is guilty of a class A  
12 misdemeanor; except that, if the false report results in serious  
13 physical injury or death, such person is guilty of a class E  
14 felony.

15 8. The department of public safety may promulgate rules for  
16 the implementation of the blue alert system. Any rule or portion  
17 of a rule, as that term is defined in section 536.010, that is  
18 created under the authority delegated in this section shall  
19 become effective only if it complies with and is subject to all  
20 of the provisions of chapter 536 and, if applicable, section  
21 536.028. This section and chapter 536 are nonseverable, and if  
22 any of the powers vested with the general assembly pursuant to  
23 chapter 536 to review, to delay the effective date, or to  
24 disapprove and annul a rule are subsequently held  
25 unconstitutional, then the grant of rulemaking authority and any  
26 rule proposed or adopted after August 28, 2017, shall be invalid  
27 and void.

28 Section 1. 1. Notwithstanding any provision of law to the

1 contrary, any city of the fourth classification with more than  
2 five thousand but fewer than five thousand five hundred  
3 inhabitants and located in any county with a charter form of  
4 government and with more than six hundred thousand but fewer than  
5 seven hundred thousand inhabitants, may file with the fire  
6 protection district's board of directors a notice of intention of  
7 detachment stating the city's intent that the area located within  
8 the city and the fire protection district, or a portion of such  
9 area, is to be excluded and taken from the district. The filing  
10 of a notice of intention of detachment shall be authorized by  
11 ordinance and the city shall have first received petitions  
12 requesting exclusion from the district signed by at least fifty-  
13 seven percent of the owners of real property contained within the  
14 area to be excluded and taken from the district. Such petition  
15 shall be acknowledged in the same manner and form as required in  
16 case of a conveyance of land. Such notice of intention of  
17 detachment shall describe the subject area to be excluded from  
18 the fire protection district in the form of a legal description  
19 and map.

20 2. After filing the notice of intention of detachment with  
21 the fire protection district, the city shall conduct a public  
22 hearing on the notice of intention of detachment and give notice  
23 by publication in a newspaper of general circulation qualified to  
24 publish legal matters in the county where the subject area is  
25 located, at least once a week for three consecutive weeks prior  
26 to the hearing, with the last notice being not more than twenty  
27 days and not less than ten days before the hearing. The hearing  
28 may be continued to another date without further notice other

1 than a motion to be entered upon the minutes fixing the date,  
2 time, and place of the subsequent hearing. At the public  
3 hearing, the city shall present its reasons why it desires to  
4 detach the subject area from the fire protection district and its  
5 plan to provide or cause to be provided fire protection and  
6 ambulance services to the subject area.

7 3. Following the public hearing, the governing body of the  
8 city may by ordinance, which shall not become effective except by  
9 the favorable vote of at least two-thirds of all the members of  
10 the governing body of the city, approve the detachment of the  
11 subject area from the fire protection district.

12 4. Upon duly enacting such detachment ordinance, the city  
13 shall cause the same to be filed with the county assessor and the  
14 clerk of the county wherein the city is located, and one copy to  
15 be filed with the election authority, if different from the clerk  
16 of the county which has jurisdiction over the area being  
17 detached.

18 5. Upon the effective date of the ordinance, which may be  
19 up to one year from the date of its passage and approval, the  
20 fire protection district shall no longer provide or cause to be  
21 provided fire protection and ambulance services to the subject  
22 area and shall no longer levy and collect any tax upon the  
23 property included within the detached area, provided that all  
24 real property excluded from a fire protection district shall  
25 thereafter be subject to the levy of taxes for the payment of any  
26 indebtedness of the fire protection district outstanding as of  
27 the ordinance's effective date; provided further, however, that  
28 after any real property shall have been excluded from a fire

1 protection district, as provided in this section, any buildings  
2 and improvements thereafter erected or constructed on said  
3 excluded real property, and all machinery and equipment  
4 thereafter installed or placed therein or thereon, and all  
5 tangible personal property not in the fire protection district at  
6 the time of the exclusion of the subject area from the fire  
7 protection district which shall thereafter be situated on or used  
8 in connection with subject area, shall not be subject to any  
9 taxes levied by the fire protection district. Furthermore, the  
10 city shall:

11 (1) On or before January first of the second calendar year  
12 occurring after the date on which the property was detached from  
13 the fire protection district, the city shall pay to the fire  
14 protection district a fee equal to the amount of revenue which  
15 would have been generated during the previous calendar year by  
16 the fire protection district ad valorem tax on the property in  
17 the area detached which was formerly a part of the fire  
18 protection district;

19 (2) On or before January first of the third calendar year  
20 occurring after the date on which the property was detached from  
21 the fire protection district, the city shall pay to the fire  
22 protection district a fee equal to four-fifths of the amount of  
23 revenue which would have been generated during the previous  
24 calendar year by the fire protection district ad valorem tax on  
25 the property in the area detached which was formerly a part of  
26 the fire protection district;

27 (3) On or before January first of the fourth calendar year  
28 occurring after the date on which the property was detached from

1 the fire protection district, the city shall pay to the fire  
2 protection district a fee equal to three-fifths of the amount of  
3 revenue which would have been generated during the previous  
4 calendar year by the fire protection district ad valorem tax on  
5 the property in the area detached which was formerly a part of  
6 the fire protection district;

7 (4) On or before January first of the fifth calendar year  
8 occurring after the date on which the property was detached from  
9 the fire protection district, the city shall pay to the fire  
10 protection district a fee equal to two-fifths of the amount of  
11 revenue which would have been generated during the previous  
12 calendar year by the fire protection district ad valorem tax on  
13 the property in the area detached which was formerly a part of  
14 the fire protection district; and

15 (5) On or before January first of the sixth calendar year  
16 occurring after the date on which the property was detached from  
17 the fire protection district, the city shall pay to the fire  
18 protection district a fee equal to one-fifth of the amount of  
19 revenue which would have been generated during the previous  
20 calendar year by the fire protection district ad valorem tax on  
21 the property in the area detached which was formerly a part of  
22 the fire protection district.

23 6. The provisions of this section shall not apply in any  
24 county in which a boundary commission has been established  
25 pursuant to section 72.400.

26 Section B. Because immediate action is necessary to allow  
27 the sheriff of the city of St. Louis to appoint deputies as  
28 expeditiously as possible for efficient performance of the

1 position, and to ensure the state is eligible to receive federal  
2 911 grants and timely application for such grants is imperative,  
3 and because immediate action is necessary to meet the  
4 requirements of the Social Security Administration and to prevent  
5 the expulsion of Missouri airport officers from the Social  
6 Security Program, the repeal and reenactment of sections 57.450,  
7 57.530, 86.207, and 650.330 of this act is deemed necessary for  
8 the immediate preservation of the public health, welfare, peace,  
9 and safety, and is hereby declared to be an emergency act within  
10 the meaning of the constitution, and the repeal and reenactment  
11 of sections 57.450, 57.530, 86.207, and 650.330 of this act shall  
12 be in full force and effect upon its passage and approval.