

FIRST REGULAR SESSION

SENATE COMMITTEE SUBSTITUTE FOR

SENATE BILL NO. 289

101ST GENERAL ASSEMBLY

1321S.04C

ADRIANE D. CROUSE, Secretary

AN ACT

To repeal sections 590.030 and 590.118, RSMo, and to enact in lieu thereof two new sections relating to peace officer license requirements.

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

Section A. Sections 590.030 and 590.118, RSMo, are
2 repealed and two new sections enacted in lieu thereof, to be
3 known as sections 590.030 and 590.118, to read as follows:

590.030. 1. The POST commission shall establish
2 minimum standards for the basic training of peace officers.
3 Such standards may vary for each class of license
4 established pursuant to subsection 2 of section 590.020.

5 2. The director shall establish minimum age,
6 citizenship, and general education requirements and may
7 require a qualifying score on a certification examination as
8 conditions of eligibility for a peace officer license. Such
9 general education requirements shall require completion of a
10 high school program of education under chapter 167 or
11 obtainment of a General Educational Development (GED)
12 certificate.

13 3. The director shall provide for the licensure, with
14 or without additional basic training, of peace officers
15 possessing credentials by other states or jurisdictions,
16 including federal and military law enforcement officers.

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

17 4. The director shall establish a procedure for
18 obtaining a peace officer license and shall issue the proper
19 license when the requirements of this chapter have been met.

20 5. As conditions of licensure, all licensed peace
21 officers shall:

22 (1) Obtain continuing law enforcement education
23 pursuant to rules to be promulgated by the POST commission;
24 [and]

25 (2) Maintain a current address of record on file with
26 the director; **and**

27 **(3) Submit to being fingerprinted on or before January**
28 **1, 2022, and at any time a peace officer is commissioned**
29 **with a different law enforcement agency, for the purpose of**
30 **a criminal history background check and enrollment in the**
31 **state and federal Rap Back programs, pursuant to section**
32 **43.540. The criminal history background check shall include**
33 **the records of the Federal Bureau of Investigation. The**
34 **resulting report shall be forwarded to the officer's**
35 **commissioning law enforcement agency at the time of**
36 **enrollment and Rap Back enrollment shall be for the purpose**
37 **of the requirements of subsection 3 of section 590.070 and**
38 **subsection 2 of section 590.118. An officer shall take all**
39 **necessary steps to maintain enrollment in Rap Back at all**
40 **law enforcement agencies where the officer is commissioned**
41 **for as long as the officer is commissioned with that agency.**

42 6. A peace officer license shall automatically expire
43 if the licensee fails to hold a commission as a peace
44 officer for a period of five consecutive years, provided
45 that the POST commission shall provide for the relicensure
46 of such persons and may require retraining as a condition of
47 eligibility for relicensure, and provided that the director
48 may provide for the continuing licensure, subject to

49 restrictions, of persons who hold and exercise a law
50 enforcement commission requiring a peace officer license but
51 not meeting the definition of a peace officer pursuant to
52 this chapter.

53 **7. All law enforcement agencies shall enroll in the**
54 **state and federal Rap Back programs on or before January 1,**
55 **2022, and continue to remain enrolled. The law enforcement**
56 **agency shall take all necessary steps to maintain officer**
57 **enrollment for all officers commissioned with that agency in**
58 **the Rap Back programs. An officer shall submit to being**
59 **fingerprinted at any law enforcement agency upon**
60 **commissioning and for as long as the officer is commissioned**
61 **with that agency.**

590.118. 1. All completed investigations of alleged
2 acts of a peace officer shall be made available to any
3 hiring law enforcement agency. The transfer of any law
4 enforcement agency record to another law enforcement agency
5 does not make the record a public record.

6 2. Any law enforcement [agency with information
7 showing a peace officer's unfitness for licensure] **officer**
8 **who has reason to believe that an individual with a peace**
9 **officer license may have committed a violation of subsection**
10 **1 of section 590.080 shall [provide], within thirty days,**
11 **report** such information to the [peace officer's standards
12 and training commission] **officer's chain of command.**

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