AN ACT

To repeal sections 84.344 and 285.040, RSMo, and to enact in lieu thereof two new sections relating to residency requirements for employees of the city of St. Louis.

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

Section A. Sections 84.344 and 285.040, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 84.344 and 285.040, to read as follows:

84.344. 1. Notwithstanding any provisions of this chapter to the contrary, any city not within a county may establish a municipal police force on or after July 1, 2013, according to the procedures and requirements of this section. The purpose of these procedures and requirements is to provide for an orderly and appropriate transition in the governance of the police force and provide for an equitable employment transition for commissioned and civilian personnel.

2. Upon the establishment of a municipal police force by a city under sections 84.343 to 84.346, the board of police commissioners shall convey, assign, and otherwise transfer to the city title and ownership of all indebtedness and assets, including, but not limited to, all funds and real and personal property held in the name of or controlled by the board of police commissioners created under sections 84.010 to 84.340. The board of police commissioners shall
execute all documents reasonably required to accomplish such transfer of ownership and obligations.

3. If the city establishes a municipal police force and completes the transfer described in subsection 2 of this section, the city shall provide the necessary funds for the maintenance of the municipal police force.

4. Before a city not within a county may establish a municipal police force under this section, the city shall adopt an ordinance accepting responsibility, ownership, and liability as successor-in-interest for contractual obligations, indebtedness, and other lawful obligations of the board of police commissioners subject to the provisions of subsection 2 of section 84.345.

5. A city not within a county that establishes a municipal police force shall initially employ, without a reduction in rank, salary, or benefits, all commissioned and civilian personnel of the board of police commissioners created under sections 84.010 to 84.340 that were employed by the board immediately prior to the date the municipal police force was established. Such commissioned personnel who previously were employed by the board may only be involuntarily terminated by the city not within a county for cause. The city shall also recognize all accrued years of service that such commissioned and civilian personnel had with the board of police commissioners. Such personnel shall be entitled to the same holidays, vacation, and sick leave they were entitled to as employees of the board of police commissioners.

6. (1) Commissioned and civilian personnel of a municipal police force established under this section who are hired prior to September 1, [2023] 2028, shall not be subject to a residency requirement of retaining a primary
residence in a city not within a county but may be required
to maintain a primary residence located within a one-hour
response time.

(2) Commissioned and civilian personnel of a municipal
police force established under this section who are hired
after August 31, [2023] 2028, may be subject to a residency
rule no more restrictive than a requirement of retaining a
primary residence in a city not within a county for a total
of seven years and of then allowing the personnel to
maintain a primary residence outside the city not within a
county so long as the primary residence is located within a
one-hour response time.

7. The commissioned and civilian personnel who retire
from service with the board of police commissioners before
the establishment of a municipal police force under
subsection 1 of this section shall continue to be entitled
to the same pension benefits provided under chapter 86 and
the same benefits set forth in subsection 5 of this section.

8. If the city not within a county elects to establish
a municipal police force under this section, the city shall
establish a separate division for the operation of its
municipal police force. The civil service commission of the
city may adopt rules and regulations appropriate for the
unique operation of a police department. Such rules and
regulations shall reserve exclusive authority over the
disciplinary process and procedures affecting commissioned
officers to the civil service commission; however, until
such time as the city adopts such rules and regulations, the
commissioned personnel shall continue to be governed by the
board of police commissioner's rules and regulations in
effect immediately prior to the establishment of the
municipal police force, with the police chief acting in
place of the board of police commissioners for purposes of applying the rules and regulations. Unless otherwise provided for, existing civil service commission rules and regulations governing the appeal of disciplinary decisions to the civil service commission shall apply to all commissioned and civilian personnel. The civil service commission's rules and regulations shall provide that records prepared for disciplinary purposes shall be confidential, closed records available solely to the civil service commission and those who possess authority to conduct investigations regarding disciplinary matters pursuant to the civil service commission's rules and regulations. A hearing officer shall be appointed by the civil service commission to hear any such appeals that involve discipline resulting in a suspension of greater than fifteen days, demotion, or termination, but the civil service commission shall make the final findings of fact, conclusions of law, and decision which shall be subject to any right of appeal under chapter 536.

9. A city not within a county that establishes and maintains a municipal police force under this section:
   (1) Shall provide or contract for life insurance coverage and for insurance benefits providing health, medical, and disability coverage for commissioned and civilian personnel of the municipal police force to the same extent as was provided by the board of police commissioners under section 84.160;
   (2) Shall provide or contract for medical and life insurance coverage for any commissioned or civilian personnel who retired from service with the board of police commissioners or who were employed by the board of police commissioners and retire from the municipal police force of
a city not within a county to the same extent such medical
and life insurance coverage was provided by the board of
police commissioners under section 84.160;
(3) Shall make available medical and life insurance
coverage for purchase to the spouses or dependents of
commissioned and civilian personnel who retire from service
with the board of police commissioners or the municipal
police force and deceased commissioned and civilian
personnel who receive pension benefits under sections 86.200
to 86.366 at the rate that such dependent's or spouse's
coverage would cost under the appropriate plan if the
deceased were living; and
(4) May pay an additional shift differential
compensation to commissioned and civilian personnel for
evening and night tours of duty in an amount not to exceed
ten percent of the officer's base hourly rate.
10. A city not within a county that establishes a
municipal police force under sections 84.343 to 84.346 shall
establish a transition committee of five members for the
purpose of: coordinating and implementing the transition of
authority, operations, assets, and obligations from the
board of police commissioners to the city; winding down the
affairs of the board; making nonbinding recommendations for
the transition of the police force from the board to the
city; and other related duties, if any, established by
executive order of the city's mayor. Once the ordinance
referenced in this section is enacted, the city shall
provide written notice to the board of police commissioners
and the governor of the state of Missouri. Within thirty
days of such notice, the mayor shall appoint three members
to the committee, two of whom shall be members of a
statewide law enforcement association that represents at
least five thousand law enforcement officers. The remaining
members of the committee shall include the police chief of
the municipal police force and a person who currently or
previously served as a commissioner on the board of police
commissioners, who shall be appointed to the committee by
the mayor of such city.

285.040. 1. As used in this section, "public safety
employee" shall mean a person trained or authorized by law
or rule to render emergency medical assistance or treatment,
including, but not limited to, firefighters, ambulance
attendants and attendant drivers, emergency medical
technicians, emergency medical technician paramedics,
dispatchers, registered nurses, physicians, and sheriffs and
deputy sheriffs.

2. No public safety employee or any other employee of
a city not within a county who is hired prior to September
1, [2023] 2028, shall be subject to a residency requirement
of retaining a primary residence in a city not within a
county but may be required to maintain a primary residence
located within a one-hour response time.

3. Public safety employees of a city not within a
county who are hired after August 31, [2023] 2028, may be
subject to a residency rule no more restrictive than a
requirement of retaining a primary residence in a city not
within a county for a total of seven years and of then
allowing the public safety employee to maintain a primary
residence outside the city not within a county so long as
the primary residence is located within a one-hour response
time.

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