

# SENATE BILL NO. 800

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR FITZWATER.

3494S.02I

KRISTINA MARTIN, Secretary

## AN ACT

To repeal section 590.653, RSMo, and to enact in lieu thereof one new section relating to law enforcement agencies.

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

Section A. Section 590.653, RSMo, is repealed and one new  
2 section enacted in lieu thereof, to be known as section 590.653,  
3 to read as follows:

590.653. 1. Each city, county and city not within a  
2 county may establish a civilian review board, **division of**  
3 **civilian oversight, or any other entity which provides**  
4 **civilian review or oversight of police agencies**, or may use  
5 an existing civilian review board **or division of civilian**  
6 **oversight or other named entity** which has been appointed by  
7 the local governing body, with the authority to investigate  
8 allegations of misconduct by local law enforcement officers  
9 towards members of the public. The members shall not  
10 receive compensation but shall receive reimbursement from  
11 the local governing body for all reasonable and necessary  
12 expenses.

13 2. The board, **division, or any other such entity**,  
14 shall have the power [to receive, investigate, make] **solely**  
15 **limited to receiving, investigating, making** findings and  
16 [recommend] **recommending** disciplinary action upon complaints  
17 by members of the public against members of the police  
18 department that allege misconduct involving excessive use of

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

19 force, abuse of authority, discourtesy, or use of offensive  
20 language, including, but not limited to, slurs relating to  
21 race, ethnicity, religion, gender, sexual orientation and  
22 disability. The findings and recommendations of the board,  
23 **division, or other entity** and the basis therefor, shall be  
24 submitted to the chief law enforcement official. No finding  
25 or recommendation shall be based solely upon an unsworn  
26 complaint or statement, nor shall prior unsubstantiated,  
27 unfounded or withdrawn complaints be the basis for any such  
28 findings or recommendations. **Only the powers specifically**  
29 **granted herein are authorized and any and all authority**  
30 **granted to future or existing boards, divisions, or entities**  
31 **outside the scope of the powers listed herein are expressly**  
32 **preempted and void as a matter of law.**

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