

SENATE COMMITTEE SUBSTITUTE

FOR

SENATE BILL NO. 1657

AN ACT

To repeal sections 84.160, 84.210, and 84.325, RSMo, and to enact in lieu thereof three new sections relating to the board of police commissioners.

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

Section A. Sections 84.160, 84.210, and 84.325, RSMo, are repealed and three new sections enacted in lieu thereof, to be known as sections 84.160, 84.210, and 84.325, to read as follows:

84.160. 1. As of the effective date of this act, the board of police commissioners shall have the authority to compute and establish the annual salary of each member of the police force without receiving prior authorization from the general assembly, which shall not be less than the annual salary paid to any member at the time of the effective date of this act.

2. Each officer of police and patrolman whose regular assignment requires nonuniformed attire may receive, in addition to his or her salary, an allowance not to exceed three hundred sixty dollars per annum payable biweekly. Notwithstanding the provisions of subsection 1 of this section to the contrary, no additional compensation or compensatory time off for overtime, court time, or standby court time shall be paid or allowed to any officer of the rank of lieutenant or above. Notwithstanding any other provision of law to the contrary, nothing in this section shall prohibit the payment of additional compensation pursuant to this subsection to officers of the ranks of

[sergeants] lieutenant and above[, provided that funding for such compensation shall not:

(1) Be paid from the general funds of either the city or the board of police commissioners of the city; or

(2) Be] if determined appropriate by the board of police commissioners and is not violative of any federal law or other state law.

3. It is the duty of the municipal assembly or common council of the cities to make the necessary appropriation for the expenses of the maintenance of the police force governed by the board of police commissioners, in the manner provided in section 84.210; except, pursuant to subsection 2 of Section 21 of Article X of the Missouri Constitution, such municipal assembly or common council shall appropriate a minimum sum equal to the following percentages of the city's general revenue:

(1) Twenty-two percent for the period ending December 31, 2025;

(2) Twenty-three percent for the period beginning on January 1, 2026, and ending on December 31, 2026;

(3) Twenty-four percent for the period beginning on January 1, 2027, and ending on December 31, 2027; and

(4) Twenty-five percent beginning on January 1, 2028, and for all subsequent years;

to fund the police force governed by the board of police commissioners. Any pension and retirement costs shall be excluded from the calculation of expenses for the maintenance of the police force for the purposes of the minimum funding requirements provided in this subsection.

4. Notwithstanding the provisions of subsection 1 of this section to the contrary, the board of police commissioners shall pay additional compensation for all

hours of service rendered by probationary patrolmen, patrolmen, and sergeants in excess of the established regular working period, and the rate of compensation shall be one and one-half times the regular hourly rate of pay to which each member shall normally be entitled; except that, the court time and court standby time shall be paid at the regular hourly rate of pay to which each member shall normally be entitled. No credit shall be given or deductions made from payments for overtime for the purpose of retirement benefits.

5. Notwithstanding the provisions of subsection 1 of this section to the contrary, probationary patrolmen, patrolmen, and sergeants shall receive additional compensation for authorized overtime, court time and court standby time whenever the total accumulated time exceeds forty hours. The accumulated forty hours shall be taken as compensatory time off at the officer's discretion with the approval of his supervisor.

6. The allowance of compensation or compensatory time off for court standby time shall be computed at the rate of one-third of one hour for each hour spent on court standby time.

7. The board of police commissioners shall effect programs to provide additional compensation to its employees for successful completion of academic work at an accredited college or university, in amounts not to exceed ten percent of their yearly salaries or for field training officer and lead officer responsibilities in amounts not to exceed three percent of their yearly salaries for field training officer responsibilities and an additional three percent of their yearly salaries for lead officer responsibilities. The board may designate up to one hundred fifty employees as

field training officers and up to fifty employees as lead officers.

8. The board of police commissioners:

(1) Shall provide or contract for life insurance coverage and for insurance benefits providing health, medical and disability coverage for officers and employees of the department;

(2) Shall provide or contract for insurance coverage providing salary continuation coverage for officers and employees of the police department;

(3) Shall provide health, medical, and life insurance coverage for retired officers and employees of the police department. Health, medical and life insurance coverage shall be made available for purchase to the spouses or dependents of deceased retired officers and employees of the police department who receive pension benefits pursuant to sections 86.200 to 86.364 at the rate that such dependent's or spouse's coverage would cost under the appropriate plan if the deceased were living;

(4) May pay an additional shift differential compensation to members of the police force for evening and night tour of duty in an amount not to exceed ten percent of the officer's base hourly rate.

9. Notwithstanding the provisions of subsection 1 of this section to the contrary, the board of police commissioners shall pay additional compensation to members of the police force up to and including the rank of police officer for any full hour worked between the hours of 11:00 p.m. and 7:00 a.m., in amounts equal to ten percent of the officer's base hourly pay.

10. The board of police commissioners, from time to time and in its discretion, may pay additional compensation to police officers, sergeants and lieutenants by paying

commissioned officers in the aforesaid ranks for accumulated, unused vacation time. Any such payments shall be made in increments of not less than forty hours, and at rates equivalent to the base straight-time rates being earned by said officers at the time of payment; except that, no such officer shall be required to accept payment for accumulated unused vacation time.

84.210. 1. It shall be the duty of said boards, annually on or before the last day of February of each year to prepare, in writing, on such forms as may be prescribed for budget preparation purposes by such cities for departments of city government, an estimate of the sum of money which will be necessary for the subsequent fiscal year, to enable them to discharge the duties hereby imposed upon them, and to meet the expenses of the police department. Such estimate shall include, but not be limited to, all reasonably anticipated revenues of such boards from all sources including, but not limited to, grants from the federal or state governments, governmental agencies or other grantors and forfeitures of property and proceeds of forfeited property, a table of organization, line items for personnel, supplies, maintenance, repairs, services and contractual requirements, and a statement comparing receipts and expenses for the last prior full fiscal year, the current fiscal year, and the fiscal year to which the estimate pertains. Said boards shall forthwith certify such estimate to the board of common council or municipal assembly, as the case may be, of said cities, who are hereby required to set apart and appropriate the amount so certified, payable out of the revenue of said cities, after having first deducted the amount necessary to pay the interest upon the indebtedness of said cities, the amount necessary for the expenses of the city hospital and health

department, the amount necessary for lighting the city, and any sum required by law to be placed to the credit of the sinking fund of said cities. [During a fiscal year for which an appropriation has been so made, said boards shall not transfer funds appropriated for one line item of such appropriation to any other line item without the prior approval of the municipal board of estimate and apportionment] Such budget, when adopted and certified by the board, shall be the authorization of expenditures for the purposes set forth therein. No transfer from one character classification of expenditure in the board budget to another character classification shall be made without the approval of such board.

2. The said boards of police commissioners shall pass upon all claims presented against them for the expenses incurred in the discharge of their duties as herein provided, and shall certify, by their president and secretary, all such claims as are entitled to payment and all salary rolls for salaries as provided in sections 84.010 to 84.340, and such claims and salary rolls, when so certified, shall be duly audited and paid by the proper disbursing officer or officers of said cities within five days after being audited, out of any moneys in the city treasury not appropriated to the specific purposes above enumerated; provided, however, that the amount of said claims and salary rolls so certified shall not exceed, in any one year, the amount so, as aforesaid, estimated for that year to the common council or municipal assembly of said cities aforesaid. The common council or municipal assembly of said cities shall have no power or authority to levy or collect any taxes or appropriate any money for the payment of any police force, other than that organized and employed under sections 84.010 to 84.340. No officer or

servant of the mayor or the common council or municipal assembly of said cities shall disburse any money for the payment of any police force other than that organized and employed under sections 84.010 to 84.340, and the power of said mayor and common council or municipal assembly to appropriate and disburse money for the payment of the police force organized and employed under sections 84.010 to 84.340 shall be exercised as in this section directed and not otherwise.

84.325. 1. A transition director shall be appointed by the governor to ensure oversight of an orderly transition of the control of any municipal police force from any city not within a county to the board of police commissioners. The implementation period shall begin on the effective date of this act, and end no later than July 1, ~~2026~~ 2027. The board of police commissioners shall assume control of any municipal police force established within any city not within a county during the implementation period, according to the procedures and requirements of this section and any rules promulgated under subsection 6 of this section and as determined in coordination with the transition director, local officials, and the board of police commissioners. The purpose of these procedures and requirements is to ensure the continuity of operations of the municipal police force with minimized disruptions to the residents of any city not within a county, to provide for an orderly and appropriate transition in the governance of the police force, and to provide for an equitable employment transition for commissioned and civilian personnel.

2. Upon the assumption of control by the board of police commissioners under subsection 1 of this section, any municipal police department within any city not within a county shall convey, assign, and otherwise transfer to the

board 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 municipal police department. Such city shall thereafter cease the operation of any police department or police force.

3. Upon the assumption of control by the board of police commissioners under subsection 1 of this section, the [state] board of police commissioners shall accept responsibility[,] and ownership[, and liability] as successor-in-interest for contractual obligations [and other lawful obligations] of the municipal police department.

4. The board of police commissioners shall initially employ, without a reduction in rank, salary, or benefits, all commissioned and civilian personnel of the municipal police department who were employed by the municipal police department immediately prior to the date the board assumed control. The board shall recognize all accrued years of service that such commissioned and civilian personnel had with the municipal police department, as well as all accrued years of service that such commissioned and civilian personnel had previously with the board of police commissioners. Such personnel shall be entitled to the same holidays, vacation, sick leave, sick bonus time, and annual step increases they were entitled to as employees of the municipal police department.

5. The commissioned and civilian personnel who retire from service with the municipal police department before the board of police commissioners assumed control of the department under subsection 1 of this section shall continue to be entitled to the same pension benefits provided as employees of the municipal police department and the same benefits set forth in subsection 4 of this section. Any police pension system created under chapter 86 for the

benefit of a police force established under sections 84.012 to 84.340 shall continue to be governed by chapter 86 and shall apply to any comprehensive policing plan and any police force established under sections 84.012 to 84.340. Other than any provision that makes chapter 86 applicable to a municipal police force established under sections 84.343 to 84.346, nothing in sections 84.012 to 84.340 shall be construed as limiting or changing the rights or benefits provided under chapter 86.

6. The board of police commissioners may promulgate all necessary rules and regulations for the implementation and administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after March 26, 2025, shall be invalid and void.