

# SENATE BILL NO. 1281

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR CARTER.

4673S.011

KRISTINA MARTIN, Secretary

## AN ACT

To repeal section 650.120, RSMo, and to enact in lieu thereof one new section relating to funding for certain cyber crime investigations.

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

Section A. Section 650.120, RSMo, is repealed and one new  
2 section enacted in lieu thereof, to be known as section 650.120,  
3 to read as follows:

650.120. 1. There is hereby created in the state  
2 treasury the "Cyber Crime Investigation Fund". The  
3 treasurer shall be custodian of the fund and may approve  
4 disbursements from the fund in accordance with sections  
5 30.170 and 30.180. The department of public safety shall be  
6 the administrator of the fund. Moneys in the fund shall be  
7 used solely for the administration of the grant program  
8 established under this section. Notwithstanding the  
9 provisions of section 33.080 to the contrary, any moneys  
10 remaining in the fund at the end of the biennium shall not  
11 revert to the credit of the general revenue fund. The state  
12 treasurer shall invest moneys in the fund in the same manner  
13 as other funds are invested. Any interest and moneys earned  
14 on such investments shall be credited to the fund.

15 2. The department of public safety shall create a  
16 program to distribute grants to multijurisdictional internet  
17 cyber crime law enforcement task forces, multijurisdictional

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

18 enforcement groups, as defined in section 650.153, that are  
19 investigating internet sex crimes against children, and  
20 other law enforcement agencies. The program shall be funded  
21 by the cyber crime investigation fund created under  
22 subsection 1 of this section. Not more than three percent  
23 of the money in the fund may be used by the department to  
24 pay the administrative costs of the grant program. The  
25 grants shall be awarded and used to pay the salaries of  
26 detectives and computer forensic personnel whose focus is  
27 investigating internet sex crimes against children,  
28 including but not limited to enticement of a child,  
29 possession or promotion of child pornography, provide  
30 funding for the training of law enforcement personnel and  
31 prosecuting and circuit attorneys as well as their assistant  
32 prosecuting and circuit attorneys, and purchase necessary  
33 equipment, supplies, and services. The funding for such  
34 training may be used to cover the travel expenses of those  
35 persons participating.

36 3. A panel is hereby established in the department of  
37 public safety to award grants under this program and shall  
38 be comprised of the following members:

39 (1) The director of the department of public safety,  
40 or his or her designee;

41 (2) Two members appointed by the director of the  
42 department of public safety from a list of six nominees  
43 submitted by the Missouri Police Chiefs Association;

44 (3) Two members appointed by the director of the  
45 department of public safety from a list of six nominees  
46 submitted by the Missouri Sheriffs' Association;

47 (4) Two members of the state highway patrol appointed  
48 by the director of the department of public safety from a

49 list of six nominees submitted by the Missouri State  
50 Troopers Association;

51 (5) One member of the house of representatives  
52 appointed by the speaker of the house of representatives; and

53 (6) One member of the senate appointed by the  
54 president pro tem.

55 The panel members who are appointed under subdivisions (2),  
56 (3), and (4) of this subsection shall serve a four-year term  
57 ending four years from the date of expiration of the term  
58 for which his or her predecessor was appointed. However, a  
59 person appointed to fill a vacancy prior to the expiration  
60 of such a term shall be appointed for the remainder of the  
61 term. Such members shall hold office for the term of his or  
62 her appointment and until a successor is appointed. The  
63 members of the panel shall receive no additional  
64 compensation but shall be eligible for reimbursement for  
65 mileage directly related to the performance of panel duties.

66 4. Local matching amounts, which may include new or  
67 existing funds or in-kind resources including but not  
68 limited to equipment or personnel, are required for  
69 multijurisdictional internet cyber crime law enforcement  
70 task forces and other law enforcement agencies to receive  
71 grants awarded by the panel. Such amounts shall be  
72 determined by the state appropriations process or by the  
73 panel.

74 5. When awarding grants, priority should be given to  
75 newly hired detectives and computer forensic personnel.

76 6. The panel shall establish minimum training  
77 standards for detectives and computer forensic personnel  
78 participating in the grant program established in subsection  
79 2 of this section.

80           7. Multijurisdictional internet cyber crime law  
81 enforcement task forces and other law enforcement agencies  
82 participating in the grant program established in subsection  
83 2 of this section shall share information and cooperate with  
84 the highway patrol and with existing internet crimes against  
85 children task force programs.

86           8. The panel may make recommendations to the general  
87 assembly regarding the need for additional resources or  
88 appropriations.

89           9. The power of arrest of any peace officer who is  
90 duly authorized as a member of a multijurisdictional  
91 internet cyber crime law enforcement task force shall only  
92 be exercised during the time such peace officer is an active  
93 member of such task force and only within the scope of the  
94 investigation on which the task force is working.

95 Notwithstanding other provisions of law to the contrary,  
96 such task force officer shall have the power of arrest, as  
97 limited in this subsection, anywhere in the state and shall  
98 provide prior notification to the chief of police of a  
99 municipality or the sheriff of the county in which the  
100 arrest is to take place. If exigent circumstances exist,  
101 such arrest may be made and notification shall be made to  
102 the chief of police or sheriff as appropriate and as soon as  
103 practical. The chief of police or sheriff may elect to work  
104 with the multijurisdictional internet cyber crime law  
105 enforcement task force at his or her option when such task  
106 force is operating within the jurisdiction of such chief of  
107 police or sheriff.

108           [10. Under section 23.253 of the Missouri sunset act:

109           (1) The provisions of the new program authorized under  
110 this section shall be reauthorized on August 28, 2014, and

111 shall expire on December 31, 2024, unless reauthorized by an  
112 act of the general assembly; and

113 (2) If such program is reauthorized, the program  
114 authorized under this section shall sunset automatically  
115 twelve years after the effective date of the reauthorization  
116 of this section; and

117 (3) This section shall terminate on September first of  
118 the calendar year immediately following the calendar year in  
119 which the program authorized under this section is sunset.]

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