

FIRST REGULAR SESSION

# SENATE BILL NO. 474

90TH GENERAL ASSEMBLY

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INTRODUCED BY SENATOR KINDER.

Read 1st time February 22, 1999, and 1,000 copies ordered printed.

S2043.011

TERRY L. SPIELER, Secretary.

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## AN ACT

To repeal section 590.121, RSMo 1994, and to enact in lieu thereof one new section relating to training of canines to be used by peace officers.

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

Section A. Section 590.121, RSMo 1994, is repealed and one new section enacted in lieu thereof, to be known as section 590.121, to read as follows:

590.121. **1.** The director shall certify such academies, core curriculum and instruction as necessary to fulfill the purposes of sections 590.100 to 590.180. The certification shall be made by the director on the basis of the experience and educational background of the instructors, the quality and aptness of curriculum, the educational equipment and materials used in the training and the methods and measurements used in such training. The director shall adopt and publish rules pertaining to the establishment of minimum standards for certification pursuant to sections 590.100 to 590.180.

**2. After July 1, 2000, a law enforcement agency shall acquire canines trained and certified for use in law enforcement activities. Any canine acquired by a law enforcement agency after July 1, 2000, shall be trained and certified along with its handler before it is used in law enforcement activities.**

**3. The director may establish by rule the hours and types of canine-handler training required for certification, may provide for periodic recertification of canine-handler teams and may accept training and certification provided by recognized state and national K-9 police associations. Such training shall include aggression control and bomb and narcotics detection. Applications for certification of canine-handler teams shall be made on forms prepared by the director and shall be accompanied by an application fee. The fee shall be set by rule in an amount that does not**

**substantially exceed the cost of administration of certification. Moneys so received shall be transmitted to the director of revenue for deposit in the general revenue fund. Certification for a canine-handler team shall be valid only for that team.**

**4. The director may adopt those rules that are reasonable and necessary to accomplish the limited duties specifically delegated within this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is promulgated under the authority delegated in this section shall become effective only if it has been promulgated pursuant to the provisions of chapter 536, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, 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 the effective date of this section shall be invalid and void.**

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