

SECOND REGULAR SESSION

[P E R F E C T E D]

# SENATE BILL NO. 874

93RD GENERAL ASSEMBLY

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INTRODUCED BY SENATORS SHIELDS, WHEELER, RIDGEWAY, KOSTER, BARTLE,  
GRAHAM, SCOTT, KLINDT AND KENNEDY.

Read 1st time January 12, 2006, and ordered printed.

Read 2nd time January 19, 2006, and referred to the Committee on Economic Development, Tourism and Local Government.

Reported from the Committee April 3, 2006, with recommendation that the bill do pass.

Taken up for Perfection April 11, 2006. Bill declared Perfected and Ordered Printed.

TERRY L. SPIELER, Secretary.

4254S.02P

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## AN ACT

To repeal section 84.830, RSMo, and to enact in lieu thereof one new section relating to prohibited activities by Kansas City police officers.

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

Section A. Section 84.830, RSMo, is repealed and one new section enacted  
2 in lieu thereof, to be known as section 84.830, to read as follows:

84.830. 1. [No person shall solicit orally, or by letter or otherwise, or  
2 shall be in any manner concerned in soliciting, any assessment, contribution, or  
3 payment for any political purpose whatsoever from any officer or employee in the  
4 service of the police department for such cities or from members of the said police  
5 board. No officer, agent, or employee of the police department of such cities shall  
6 permit any such solicitation in any building or room occupied for the discharge  
7 of the official duties of the said department. No officer or employee in the service  
8 of said police department shall directly or indirectly give, pay, lend, or contribute  
9 any part of his salary or compensation or any money or other valuable thing to  
10 any person on account of, or to be applied to, the promotion of any political party,  
11 political club, or any political purpose whatever.

12 2.] No officer or employee of said department shall promote, remove, or  
13 reduce any other official or employee, or promise or threaten to do so, for  
14 withholding or refusing to make any contribution for any political party or

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

15 purpose or club, or for refusal to render any political service, and shall not  
16 directly or indirectly attempt to coerce, command, or advise any other officer or  
17 employee to make any such contribution or render any such service. No officer  
18 or employee in the service of said department or member of the police board shall  
19 use his official authority or influence for the purpose of interfering with any  
20 election or any nomination for office, or affecting the result thereof. [No officer  
21 or employee of such department shall be a member or official of any committee  
22 of any political party, or be a ward committeeman or committeewoman, nor shall  
23 any such officer or employee solicit any person to vote for or against any  
24 candidate for public office, or "poll precincts" or be connected with other political  
25 work of similar character on behalf of any political organization, party, or  
26 candidate.] All such persons shall, however, retain the right to vote as they may  
27 choose and to express their opinions on all political subjects and candidates.

28 [3.] 2. No person or officer or employee of said department shall affix any  
29 sign, bumper sticker or other device to any property or vehicle under the control  
30 of said department which either supports or opposes any ballot measure or  
31 political candidate.

32 [4.] 3. No question in any examination shall relate to political or  
33 religious opinions or affiliations, and no appointment, transfer, layoff, promotion,  
34 reduction, suspension, or removal shall be affected by such opinions or  
35 affiliations.

36 [5.] 4. No person shall make false statement, certification, mark, rating,  
37 or report with regard to any tests, certificate, or appointment made under any  
38 provision of sections 84.350 to 84.860 or in any manner commit or attempt to  
39 commit any fraud preventing the impartial execution of this section or any  
40 provision thereof.

41 [6.] 5. No person shall, directly or indirectly, give, render, pay, offer,  
42 solicit, or accept any money, service, or other valuable consideration for or on  
43 account of any appointment, proposed appointment, promotion to, or any  
44 advancement in, a position in the service of the police departments of such cities.

45 [7.] 6. No person shall defeat, deceive, or obstruct any person in his right  
46 to examination, eligibility, certification, appointment or promotion under sections  
47 84.350 to 84.860, or furnish to any person any such secret information for the  
48 purpose of affecting the right or prospects of any person with respect to  
49 employment in the police departments of such cities.

50 [8.] 7. Any officer or any employee of the police department of such cities

51 who shall be found by the board to have violated any of the provisions of this  
52 section shall be discharged forthwith from said service. It shall be the duty of the  
53 chief of police to prefer charges against any such offending person at once. Any  
54 member of the board or of the common council of such cities may bring suit to  
55 restrain payment of compensation to any such offending officer or employee and,  
56 as an additional remedy, any such member of the board or of the common council  
57 of such cities may also apply to the circuit court for a writ of mandamus to compel  
58 the dismissal of such offending officer or employee. Officers or employees  
59 discharged by such mandamus shall have no right of review before the police  
60 board. Any person dismissed or convicted under this section shall, for a period  
61 of five years, be ineligible for appointment to any position in the service of the  
62 police department of such cities or the municipal government of such cities. Any  
63 persons who shall willfully or through culpable negligence violate any of the  
64 provisions of this section may, upon conviction thereof, be punished by a fine of  
65 not less than fifty dollars and not exceeding five hundred dollars, or by  
66 imprisonment for a time not exceeding six months, or by both such fine and  
67 imprisonment.

Bill ✓

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