

SENATE AMENDMENT NO. _____

Offered by _____ of _____

Amend SS/Senate Bill No. 26, Page 5, Section 574.085, Line 34,

2 by inserting after all of said line the following:

3 "590.192. 1. There is hereby established the
 4 "Critical Incident Stress Management Program" within the
 5 department of public safety. The program shall provide
 6 services for peace officers to assist in coping with stress
 7 and potential psychological trauma resulting from a response
 8 to a critical incident or emotionally difficult event. Such
 9 services may include consultation, risk assessment,
 10 education, intervention, and other crisis intervention
 11 services provided by the department to peace officers
 12 affected by a critical incident.

13 2. All peace officers shall be required to meet with a
 14 program service provider every three to five years for a
 15 mental health check-in. The program service provider shall
 16 send a notification to the peace officer's commanding
 17 officer that he or she completed such check-in.

18 3. Any information disclosed by a peace officer shall
 19 be privileged and shall not be used as evidence in criminal,
 20 administrative, or civil proceedings against the peace
 21 officer unless:

22 (1) A program representative reasonably believes the
 23 disclosure is necessary to prevent harm to a person who
 24 received services or to prevent harm to another person;

25 (2) The person who received the services provides
 26 written consent to the disclosure;

27 (3) The program representative is a witness or a party
28 to a critical incident that prompted the peace officer to
29 receive critical stress services;

30 (4) The person receiving services discloses
31 information that is required to be reported under mandatory
32 reporting laws;

33 (5) The peace officer who received services is
34 deceased; or

35 (6) The surviving peace officer who received services
36 voluntarily testifies in a proceeding.

37 4. (1) There is hereby created in the state treasury
38 the "988 Public Safety Fund", which shall consist of money
39 appropriated by the general assembly. The state treasurer
40 shall be custodian of the fund. In accordance with sections
41 30.170 and 30.180, the state treasurer may approve
42 disbursements. The fund shall be a dedicated fund and money
43 in the fund shall be used solely by the department of public
44 safety for the purposes of providing services to peace
45 officers as provided in subsection 1 of this section. The
46 department of public safety shall promulgate any rules
47 necessary to carry out the provisions of this section. Any
48 rule or portion of a rule, as that term is defined in
49 section 536.010, that is created under the authority
50 delegated in this section shall become effective only if it
51 complies with and is subject to all of the provisions of
52 chapter 536 and, if applicable, section 536.028. This
53 section and chapter 536 are nonseverable and if any of the
54 powers vested with the general assembly pursuant to chapter
55 536 to review, to delay the effective date, or to disapprove
56 and annul a rule are subsequently held unconstitutional,
57 then the grant of rulemaking authority and any rule proposed
58 or adopted after XXX, shall be invalid and void.

59 (2) Notwithstanding the provisions of section 33.080
60 to the contrary, any moneys remaining in the fund at the end
61 of the biennium shall not revert to the credit of the
62 general revenue fund.

63 (3) The state treasurer shall invest moneys in the
64 fund in the same manner as other funds are invested. Any
65 interest and moneys earned on such investments shall be
66 credited to the fund."; and

67 Further amend the title and enacting clause accordingly.