

# 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.