

SENATE AMENDMENT NO. _____

Offered by _____ of _____

Amend SS/SCS/HCS/House Bill No. 301, Page 28, Section 84.012, Line _____,

2 by striking all of said section from the bill; and

3 Further amend said bill, pages 28-29, section 84.020,

4 by striking all of said section from the bill; and

5 Further amend said bill, page 29, section 84.030 by

6 striking all of said section from the bill; and

7 Further amend said bill, pages 29-30, section 84.100 by

8 striking all of said section from the bill; and

9 Further amend said bill, pages 30-31, section 84.150 by

10 striking all of said section from the bill; and

11 Further amend said bill, pages 31-34, section 84.160 by

12 striking all of said section from the bill; and

13 Further amend said bill, pages 34-35, section 84.170 by

14 striking all of said section from the bill; and

15 Further amend said bill, page 36, section 84.225 by

16 striking all of said section from the bill; and

17 Further amend said bill, pages 36-39, section 84.325

18 by striking all of said section and inserting in lieu

19 thereof the following:

20 "84.344. 1. Notwithstanding any provisions of this
21 chapter to the contrary, any city not within a county may
22 establish a municipal police force on or after July 1, 2013,
23 according to the procedures and requirements of this
24 section. The purpose of these procedures and requirements
25 is to provide for an orderly and appropriate transition in
26 the governance of the police force and provide for an

27 equitable employment transition for commissioned and
28 civilian personnel.

29 2. Upon the establishment of a municipal police force
30 by a city under sections 84.343 to 84.346, the board of
31 police commissioners shall convey, assign, and otherwise
32 transfer to the city title and ownership of all indebtedness
33 and assets, including, but not limited to, all funds and
34 real and personal property held in the name of or controlled
35 by the board of police commissioners created under sections
36 84.010 to 84.340. The board of police commissioners shall
37 execute all documents reasonably required to accomplish such
38 transfer of ownership and obligations.

39 3. If the city establishes a municipal police force
40 and completes the transfer described in subsection 2 of this
41 section, the city shall provide the necessary funds for the
42 maintenance of the municipal police force.

43 4. Before a city not within a county may establish a
44 municipal police force under this section, the city shall
45 adopt an ordinance accepting responsibility, ownership, and
46 liability as successor-in-interest for contractual
47 obligations, indebtedness, and other lawful obligations of
48 the board of police commissioners subject to the provisions
49 of subsection 2 of section 84.345.

50 5. A city not within a county that establishes a
51 municipal police force shall initially employ, without a
52 reduction in rank, salary, or benefits, all commissioned and
53 civilian personnel of the board of police commissioners
54 created under sections 84.010 to 84.340 that were employed
55 by the board immediately prior to the date the municipal
56 police force was established. Such commissioned personnel
57 who previously were employed by the board may only be
58 involuntarily terminated by the city not within a county for
59 cause. The city shall also recognize all accrued years of

60 service that such commissioned and civilian personnel had
61 with the board of police commissioners. Such personnel
62 shall be entitled to the same holidays, vacation, and sick
63 leave they were entitled to as employees of the board of
64 police commissioners.

65 6. (1) Commissioned and civilian personnel of a
66 municipal police force established under this section who
67 are hired prior to September 1, [2023] 2028, shall not be
68 subject to a residency requirement of retaining a primary
69 residence in a city not within a county but may be required
70 to maintain a primary residence located within a one-hour
71 response time.

72 (2) Commissioned and civilian personnel of a municipal
73 police force established under this section who are hired
74 after August 31, [2023] 2028, may be subject to a residency
75 rule no more restrictive than a requirement of retaining a
76 primary residence in a city not within a county for a total
77 of seven years and of then allowing the personnel to
78 maintain a primary residence outside the city not within a
79 county so long as the primary residence is located within a
80 one-hour response time.

81 7. The commissioned and civilian personnel who retire
82 from service with the board of police commissioners before
83 the establishment of a municipal police force under
84 subsection 1 of this section shall continue to be entitled
85 to the same pension benefits provided under chapter 86 and
86 the same benefits set forth in subsection 5 of this section.

87 8. If the city not within a county elects to establish
88 a municipal police force under this section, the city shall
89 establish a separate division for the operation of its
90 municipal police force. The civil service commission of the
91 city may adopt rules and regulations appropriate for the
92 unique operation of a police department. Such rules and

93 regulations shall reserve exclusive authority over the
94 disciplinary process and procedures affecting commissioned
95 officers to the civil service commission; however, until
96 such time as the city adopts such rules and regulations, the
97 commissioned personnel shall continue to be governed by the
98 board of police commissioner's rules and regulations in
99 effect immediately prior to the establishment of the
100 municipal police force, with the police chief acting in
101 place of the board of police commissioners for purposes of
102 applying the rules and regulations. Unless otherwise
103 provided for, existing civil service commission rules and
104 regulations governing the appeal of disciplinary decisions
105 to the civil service commission shall apply to all
106 commissioned and civilian personnel. The civil service
107 commission's rules and regulations shall provide that
108 records prepared for disciplinary purposes shall be
109 confidential, closed records available solely to the civil
110 service commission and those who possess authority to
111 conduct investigations regarding disciplinary matters
112 pursuant to the civil service commission's rules and
113 regulations. A hearing officer shall be appointed by the
114 civil service commission to hear any such appeals that
115 involve discipline resulting in a suspension of greater than
116 fifteen days, demotion, or termination, but the civil
117 service commission shall make the final findings of fact,
118 conclusions of law, and decision which shall be subject to
119 any right of appeal under chapter 536.

120 9. A city not within a county that establishes and
121 maintains a municipal police force under this section:

122 (1) Shall provide or contract for life insurance
123 coverage and for insurance benefits providing health,
124 medical, and disability coverage for commissioned and
125 civilian personnel of the municipal police force to the same

126 extent as was provided by the board of police commissioners
127 under section 84.160;

128 (2) Shall provide or contract for medical and life
129 insurance coverage for any commissioned or civilian
130 personnel who retired from service with the board of police
131 commissioners or who were employed by the board of police
132 commissioners and retire from the municipal police force of
133 a city not within a county to the same extent such medical
134 and life insurance coverage was provided by the board of
135 police commissioners under section 84.160;

136 (3) Shall make available medical and life insurance
137 coverage for purchase to the spouses or dependents of
138 commissioned and civilian personnel who retire from service
139 with the board of police commissioners or the municipal
140 police force and deceased commissioned and civilian
141 personnel who receive pension benefits under sections 86.200
142 to 86.366 at the rate that such dependent's or spouse's
143 coverage would cost under the appropriate plan if the
144 deceased were living; and

145 (4) May pay an additional shift differential
146 compensation to commissioned and civilian personnel for
147 evening and night tours of duty in an amount not to exceed
148 ten percent of the officer's base hourly rate.

149 10. A city not within a county that establishes a
150 municipal police force under sections 84.343 to 84.346 shall
151 establish a transition committee of five members for the
152 purpose of: coordinating and implementing the transition of
153 authority, operations, assets, and obligations from the
154 board of police commissioners to the city; winding down the
155 affairs of the board; making nonbinding recommendations for
156 the transition of the police force from the board to the
157 city; and other related duties, if any, established by
158 executive order of the city's mayor. Once the ordinance

159 referenced in this section is enacted, the city shall
160 provide written notice to the board of police commissioners
161 and the governor of the state of Missouri. Within thirty
162 days of such notice, the mayor shall appoint three members
163 to the committee, two of whom shall be members of a
164 statewide law enforcement association that represents at
165 least five thousand law enforcement officers. The remaining
166 members of the committee shall include the police chief of
167 the municipal police force and a person who currently or
168 previously served as a commissioner on the board of police
169 commissioners, who shall be appointed to the committee by
170 the mayor of such city."; and

171 Further amend said bill, pages 43-45, section 105.726
172 by striking all of said section from the bill; and

173 Further amend said bill, page 296, section 84.175 by
174 striking all of said section from the bill; and

175 Further amend said bill and page, section 84.240 by
176 striking all of said section from the bill; and

177 Further amend said bill, page 297, section 84.341 by
178 striking all of said section from the bill; and

179 Further amend said bill and page, section 84.342 by
180 striking all of said section from the bill; and

181 Further amend said bill, pages 297-298, section 84.343
182 by striking all of said section from the bill; and

183 Further amend said bill, pages 298-301, section 84.344
184 by striking all of said section from the bill; and

185 Further amend said bill, pages 301-302, section 84.345
186 by striking all of said section from the bill; and

187 Further amend said bill, page 302, section 84.346 by
188 striking all of said section from the bill; and

189 Further amend said bill and page, section 84.347 by
190 striking all of said section from the bill; and

191 Further amend the title and enacting clause accordingly.