

SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 38
AN ACT

To repeal sections 43.539, 43.540, 67.145, 70.631, 84.344, 84.480, 84.510, 170.310, 190.091, 287.067, 590.040, 590.080, 590.192, 650.320, 650.330, and 650.340, RSMo, and to enact in lieu thereof seventeen new sections relating to first responders, with penalty provisions.

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

Section A. Sections 43.539, 43.540, 67.145, 70.631,
2 84.344, 84.480, 84.510, 170.310, 190.091, 287.067, 590.040,
3 590.080, 590.192, 650.320, 650.330, and 650.340, RSMo, are
4 repealed and seventeen new sections enacted in lieu thereof, to
5 be known as sections 43.539, 43.540, 67.145, 70.631, 84.344,
6 84.480, 84.510, 170.310, 190.091, 287.067, 590.033, 590.040,
7 590.080, 590.192, 650.320, 650.330, and 650.340, to read as
8 follows:

43.539. 1. As used in this section, the following
2 terms mean:

3 (1) "Applicant", a person who:

4 (a) Is actively employed by or seeks employment with a
5 qualified entity;

6 (b) Is actively licensed or seeks licensure with a
7 qualified entity;

8 (c) Actively volunteers or seeks to volunteer with a
9 qualified entity;

10 (d) Is actively contracted with or seeks to contract
11 with a qualified entity; or

- 12 (e) Owns or operates a qualified entity;
- 13 (2) "Care", the provision of care, treatment,
14 education, training, instruction, supervision, or recreation
15 to children, the elderly, or disabled persons;
- 16 (3) "Missouri criminal record review", a review of
17 criminal history records and sex offender registration
18 records under sections 589.400 to 589.425 maintained by the
19 Missouri state highway patrol in the Missouri criminal
20 records repository;
- 21 (4) "Missouri Rap Back program", any type of automatic
22 notification made by the Missouri state highway patrol to a
23 qualified entity indicating that an applicant who is
24 employed, licensed, or otherwise under the purview of that
25 entity has been arrested for a reported criminal offense in
26 Missouri as required under section 43.506;
- 27 (5) "National criminal record review", a review of the
28 criminal history records maintained by the Federal Bureau of
29 Investigation;
- 30 (6) "National Rap Back program", any type of automatic
31 notification made by the Federal Bureau of Investigation
32 through the Missouri state highway patrol to a qualified
33 entity indicating that an applicant who is employed,
34 licensed, or otherwise under the purview of that entity has
35 been arrested for a reported criminal offense outside the
36 state of Missouri and the fingerprints for that arrest were
37 forwarded to the Federal Bureau of Investigation by the
38 arresting agency;
- 39 (7) "Patient or resident", a person who by reason of
40 age, illness, disease, or physical or mental infirmity
41 receives or requires care or services furnished by an
42 applicant, as defined in this section, or who resides or
43 boards in, or is otherwise kept, cared for, treated, or

44 accommodated in a facility as defined in section 198.006,
45 for a period exceeding twenty-four consecutive hours;

46 (8) "Qualified entity", a person, business, or
47 organization that provides care, care placement, or
48 educational services for children, the elderly, or persons
49 with disabilities as patients or residents, including a
50 business or organization that licenses or certifies others
51 to provide care or care placement services;

52 (9) "Youth services agency", any agency, school, or
53 association that provides programs, care, or treatment for
54 or exercises supervision over minors.

55 2. The central repository shall have the authority to
56 submit applicant fingerprints to the National Rap Back
57 program to be retained for the purpose of being searched
58 against future submissions to the National Rap Back program,
59 including latent fingerprint searches. Qualified entities
60 may conduct Missouri and national criminal record reviews on
61 applicants and participate in Missouri and National Rap Back
62 programs for the purpose of determining suitability or
63 fitness for a permit, license, or employment, and shall
64 abide by the following requirements:

65 (1) The qualified entity shall register with the
66 Missouri state highway patrol prior to submitting a request
67 for screening under this section. As part of the
68 registration, the qualified entity shall indicate if it
69 chooses to enroll applicants in the Missouri and National
70 Rap Back programs;

71 (2) Qualified entities shall notify applicants subject
72 to a criminal record review under this section that the
73 applicant's fingerprints shall be retained by the state
74 central repository and the Federal Bureau of Investigation
75 and shall be searched against other fingerprints on file,
76 including latent fingerprints;

77 (3) Qualified entities shall notify applicants subject
78 to enrollment in the National Rap Back program that the
79 applicant's fingerprints, while retained, may continue to be
80 compared against other fingerprints submitted or retained by
81 the Federal Bureau of Investigation, including latent
82 fingerprints;

83 (4) The criminal record review and Rap Back process
84 described in this section shall be voluntary and conform to
85 the requirements established in the National Child
86 Protection Act of 1993, as amended, and other applicable
87 state or federal law. As a part of the registration, the
88 qualified entity shall agree to comply with state and
89 federal law and shall indicate so by signing an agreement
90 approved by the Missouri state highway patrol. The Missouri
91 state highway patrol may periodically audit qualified
92 entities to ensure compliance with federal law and this
93 section;

94 (5) A qualified entity shall submit to the Missouri
95 state highway patrol a request for screening on applicants
96 covered under this section using a completed fingerprint
97 card;

98 (6) Each request shall be accompanied by a reasonable
99 fee, as provided in section 43.530, plus the amount
100 required, if any, by the Federal Bureau of Investigation for
101 the national criminal record review and enrollment in the
102 National Rap Back program in compliance with the National
103 Child Protection Act of 1993, as amended, and other
104 applicable state or federal laws;

105 (7) The Missouri state highway patrol shall provide,
106 directly to the qualified entity, the applicant's state
107 criminal history records that are not exempt from disclosure
108 under chapter 610 or otherwise confidential under law;

109 (8) The national criminal history data shall be
110 available to qualified entities to use only for the purpose
111 of screening applicants as described under this section.
112 The Missouri state highway patrol shall provide the
113 applicant's national criminal history record information
114 directly to the qualified entity;

115 (9) The determination whether the criminal history
116 record shows that the applicant has been convicted of or has
117 a pending charge for any crime that bears upon the fitness
118 of the applicant to have responsibility for the safety and
119 well-being of children, the elderly, or disabled persons
120 shall be made solely by the qualified entity. This section
121 shall not require the Missouri state highway patrol to make
122 such a determination on behalf of any qualified entity;

123 (10) The qualified entity shall notify the applicant,
124 in writing, of his or her right to obtain a copy of any
125 criminal record review, including the criminal history
126 records, if any, contained in the report and of the
127 applicant's right to challenge the accuracy and completeness
128 of any information contained in any such report and obtain a
129 determination as to the validity of such challenge before a
130 final determination regarding the applicant is made by the
131 qualified entity reviewing the criminal history
132 information. A qualified entity that is required by law to
133 apply screening criteria, including any right to contest or
134 request an exemption from disqualification, shall apply such
135 screening criteria to the state and national criminal
136 history record information received from the Missouri state
137 highway patrol for those applicants subject to the required
138 screening; and

139 (11) Failure to obtain the information authorized
140 under this section, with respect to an applicant, shall not
141 be used as evidence in any negligence action against a

142 qualified entity. The state, any political subdivision of
143 the state, or any agency, officer, or employee of the state
144 or a political subdivision shall not be liable for damages
145 for providing the information requested under this section.

146 3. The criminal record review shall include the
147 submission of fingerprints to the Missouri state highway
148 patrol, who shall conduct a Missouri criminal record review,
149 including closed record information under section 610.120.
150 The Missouri state highway patrol shall also forward a copy
151 of the applicant's fingerprints to the Federal Bureau of
152 Investigation for a national criminal record review.

153 4. The applicant subject to a criminal record review
154 shall provide the following information to the qualified
155 entity:

156 (1) Consent to obtain the applicant's fingerprints,
157 conduct the criminal record review, and participate in the
158 Missouri and National Rap Back programs;

159 (2) Consent to obtain the identifying information
160 required to conduct the criminal record review, which may
161 include, but not be limited to:

- 162 (a) Name;
- 163 (b) Date of birth;
- 164 (c) Height;
- 165 (d) Weight;
- 166 (e) Eye color;
- 167 (f) Hair color;
- 168 (g) Gender;
- 169 (h) Race;
- 170 (i) Place of birth;
- 171 (j) Social Security number; and
- 172 (k) The applicant's photo.

173 5. Any information received by an authorized state
174 agency or a qualified entity under the provisions of this

175 section shall be used solely for internal purposes in
176 determining the suitability of an applicant. The
177 dissemination of criminal history information from the
178 Federal Bureau of Investigation beyond the authorized state
179 agency or related governmental entity is prohibited. All
180 criminal record check information shall be confidential, and
181 any person who discloses the information beyond the scope
182 allowed is guilty of a class A misdemeanor.

183 6. A qualified entity enrolled in either the Missouri
184 or National Rap Back program shall be notified by the
185 Missouri state highway patrol that a new arrest has been
186 reported on an applicant who is employed, licensed, or
187 otherwise under the purview of the qualified entity. Upon
188 receiving the Rap Back notification, if the qualified entity
189 deems that the applicant is still serving in an active
190 capacity, the entity may request and receive the
191 individual's updated criminal history record. This process
192 shall only occur if:

193 (1) The entity has abided by all procedures and rules
194 promulgated by the Missouri state highway patrol and Federal
195 Bureau of Investigation regarding the Missouri and National
196 Rap Back programs;

197 (2) The individual upon whom the Rap Back notification
198 is being made has previously had a Missouri and national
199 criminal record review completed for the qualified entity
200 under this section [within the previous six years]; and

201 (3) The individual upon whom the Rap Back notification
202 is being made is a current employee, licensee, or otherwise
203 still actively under the purview of the qualified entity.

204 7. The Missouri state highway patrol shall make
205 available or approve the necessary forms, procedures, and
206 agreements necessary to implement the provisions of this
207 section.

43.540. 1. As used in this section, the following
2 terms mean:

3 (1) "Applicant", a person who:

4 (a) Is actively employed by or seeks employment with a
5 qualified entity;

6 (b) Is actively licensed or seeks licensure with a
7 qualified entity;

8 (c) Actively volunteers or seeks to volunteer with a
9 qualified entity; or

10 (d) Is actively contracted with or seeks to contract
11 with a qualified entity;

12 (2) "Missouri criminal record review", a review of
13 criminal history records and sex offender registration
14 records pursuant to sections 589.400 to 589.425 maintained
15 by the Missouri state highway patrol in the Missouri
16 criminal records repository;

17 (3) "Missouri Rap Back program", shall include any
18 type of automatic notification made by the Missouri state
19 highway patrol to a qualified entity indicating that an
20 applicant who is employed, licensed, or otherwise under the
21 purview of that entity has been arrested for a reported
22 criminal offense in Missouri as required under section
23 43.506;

24 (4) "National criminal record review", a review of the
25 criminal history records maintained by the Federal Bureau of
26 Investigation;

27 (5) "National Rap Back program", shall include any
28 type of automatic notification made by the Federal Bureau of
29 Investigation through the Missouri state highway patrol to a
30 qualified entity indicating that an applicant who is
31 employed, licensed, or otherwise under the purview of that
32 entity has been arrested for a reported criminal offense
33 outside the state of Missouri and the fingerprints for that

34 arrest were forwarded to the Federal Bureau of Investigation
35 by the arresting agency;

36 (6) "Qualified entity", an entity that is:

37 (a) An office or division of state, county, or
38 municipal government, including a political subdivision or a
39 board or commission designated by statute or approved local
40 ordinance, to issue or renew a license, permit,
41 certification, or registration of authority;

42 (b) An office or division of state, county, or
43 municipal government, including a political subdivision or a
44 board or commission designated by statute or approved local
45 ordinance, to make fitness determinations on applications
46 for state, county, or municipal government employment; or

47 (c) Any entity that is authorized to obtain criminal
48 history record information under 28 CFR 20.33.

49 2. The central repository shall have the authority to
50 submit applicant fingerprints to the National Rap Back
51 program to be retained for the purpose of being searched
52 against future submissions to the National Rap Back program,
53 including latent fingerprint searches. Qualified entities
54 may conduct Missouri and national criminal record reviews on
55 applicants and participate in Missouri and National Rap Back
56 programs for the purpose of determining suitability or
57 fitness for a permit, license, or employment, and shall
58 abide by the following requirements:

59 (1) The qualified entity shall register with the
60 Missouri state highway patrol prior to submitting a request
61 for screening under this section. As part of such
62 registration, the qualified entity shall indicate if it
63 chooses to enroll their applicants in the Missouri and
64 National Rap Back programs;

65 (2) Qualified entities shall notify applicants subject
66 to a criminal record review under this section that the

67 applicant's fingerprints shall be retained by the state
68 central repository and the Federal Bureau of Investigation
69 and shall be searched against other fingerprints on file,
70 including latent fingerprints;

71 (3) Qualified entities shall notify applicants subject
72 to enrollment in the National Rap Back program that the
73 applicant's fingerprints, while retained, may continue to be
74 compared against other fingerprints submitted or retained by
75 the Federal Bureau of Investigation, including latent
76 fingerprints;

77 (4) The criminal record review and Rap Back process
78 described in this section shall be voluntary and conform to
79 the requirements established in Pub. L. 92-544 and other
80 applicable state or federal law. As a part of the
81 registration, the qualified entity shall agree to comply
82 with state and federal law and shall indicate so by signing
83 an agreement approved by the Missouri state highway patrol.
84 The Missouri state highway patrol may periodically audit
85 qualified entities to ensure compliance with federal law and
86 this section;

87 (5) A qualified entity shall submit to the Missouri
88 state highway patrol a request for screening on applicants
89 covered under this section using a completed fingerprint
90 card;

91 (6) Each request shall be accompanied by a reasonable
92 fee, as provided in section 43.530, plus the amount
93 required, if any, by the Federal Bureau of Investigation for
94 the national criminal record review and enrollment in the
95 National Rap Back program in compliance with applicable
96 state or federal laws;

97 (7) The Missouri state highway patrol shall provide,
98 directly to the qualified entity, the applicant's state

99 criminal history records that are not exempt from disclosure
100 under chapter 610 or are otherwise confidential under law;

101 (8) The national criminal history data shall be
102 available to qualified entities to use only for the purpose
103 of screening applicants as described under this section.
104 The Missouri state highway patrol shall provide the
105 applicant's national criminal history record information
106 directly to the qualified entity;

107 (9) This section shall not require the Missouri state
108 highway patrol to make an eligibility determination on
109 behalf of any qualified entity;

110 (10) The qualified entity shall notify the applicant,
111 in writing, of his or her right to obtain a copy of any
112 criminal record review, including the criminal history
113 records, if any, contained in the report, and of the
114 applicant's right to challenge the accuracy and completeness
115 of any information contained in any such report and to
116 obtain a determination as to the validity of such challenge
117 before a final determination regarding the applicant is made
118 by the qualified entity reviewing the criminal history
119 information. A qualified entity that is required by law to
120 apply screening criteria, including any right to contest or
121 request an exemption from disqualification, shall apply such
122 screening criteria to the state and national criminal
123 history record information received from the Missouri state
124 highway patrol for those applicants subject to the required
125 screening; and

126 (11) Failure to obtain the information authorized
127 under this section with respect to an applicant shall not be
128 used as evidence in any negligence action against a
129 qualified entity. The state, any political subdivision of
130 the state, or any agency, officer, or employee of the state

131 or a political subdivision shall not be liable for damages
132 for providing the information requested under this section.

133 3. The criminal record review shall include the
134 submission of fingerprints to the Missouri state highway
135 patrol, who shall conduct a Missouri criminal record review,
136 including closed record information under section 610.120.
137 The Missouri state highway patrol shall also forward a copy
138 of the applicant's fingerprints to the Federal Bureau of
139 Investigation for a national criminal record review.

140 4. The applicant subject to a criminal record review
141 shall provide the following information to the qualified
142 entity:

143 (1) Consent to obtain the applicant's fingerprints,
144 conduct the criminal record review, and participate in the
145 Missouri and National Rap Back programs;

146 (2) Consent to obtain the identifying information
147 required to conduct the criminal record review, which may
148 include, but not be limited to:

- 149 (a) Name;
- 150 (b) Date of birth;
- 151 (c) Height;
- 152 (d) Weight;
- 153 (e) Eye color;
- 154 (f) Hair color;
- 155 (g) Gender;
- 156 (h) Race;
- 157 (i) Place of birth;
- 158 (j) Social Security number; and
- 159 (k) The applicant's photo.

160 5. Any information received by an authorized state
161 agency or a qualified entity pursuant to the provisions of
162 this section shall be used solely for internal purposes in
163 determining the suitability of an applicant. The

164 dissemination of criminal history information from the
165 Federal Bureau of Investigation beyond the authorized state
166 agency or related governmental entity is prohibited. All
167 criminal record check information shall be confidential and
168 any person who discloses the information beyond the scope
169 allowed is guilty of a class A misdemeanor.

170 6. A qualified entity enrolled in either the Missouri
171 or National Rap Back programs shall be notified by the
172 Missouri state highway patrol that a new arrest has been
173 reported on an applicant who is employed, licensed, or
174 otherwise under the purview of the qualified entity. Upon
175 receiving the Rap Back notification, if the qualified entity
176 deems that the applicant is still serving in an active
177 capacity, the entity may request and receive the
178 individual's updated criminal history record. This process
179 shall only occur if:

180 (1) The agency has abided by all procedures and rules
181 promulgated by the Missouri state highway patrol and Federal
182 Bureau of Investigation regarding the Missouri and National
183 Rap Back programs;

184 (2) The individual upon whom the Rap Back notification
185 is being made has previously had a Missouri and national
186 criminal record review completed for the qualified entity
187 under this section [within the previous six years]; and

188 (3) The individual upon whom the Rap Back notification
189 is being made is a current employee, licensee, or otherwise
190 still actively under the purview of the qualified entity.

191 7. The highway patrol shall make available or approve
192 the necessary forms, procedures, and agreements necessary to
193 implement the provisions of this section.

67.145. 1. No political subdivision of this state
2 shall prohibit any first responder from engaging in any
3 political activity while off duty and not in uniform, being

4 a candidate for elected or appointed public office, or
5 holding such office unless such political activity or
6 candidacy is otherwise prohibited by state or federal law.

7 2. As used in this section, "first responder" means
8 any person trained and authorized by law or rule to render
9 emergency medical assistance or treatment. Such persons may
10 include, but shall not be limited to, emergency first
11 responders, telecommunicator first responders, police
12 officers, sheriffs, deputy sheriffs, firefighters, ambulance
13 attendants and attendant drivers, emergency medical
14 technicians, mobile emergency medical technicians, emergency
15 medical technician-paramedics, registered nurses, or
16 physicians.

70.631. 1. Each political subdivision may, by
2 majority vote of its governing body, elect to cover
3 [emergency telecommunicators] telecommunicator first
4 responders, jailors, and emergency medical service personnel
5 as public safety personnel members of the system. The clerk
6 or secretary of the political subdivision shall certify an
7 election concerning the coverage of [emergency
8 telecommunicators] telecommunicator first responders,
9 jailors, and emergency medical service personnel as public
10 safety personnel members of the system to the board within
11 ten days after such vote. The date in which the political
12 subdivision's election becomes effective shall be the first
13 day of the calendar month specified by such governing body,
14 the first day of the calendar month next following receipt
15 by the board of the certification of the election, or the
16 effective date of the political subdivision's becoming an
17 employer, whichever is the latest date. Such election shall
18 not be changed after the effective date. If the election is
19 made, the coverage provisions shall be applicable to all
20 past and future employment with the employer by present and

21 future employees. If a political subdivision makes no
22 election under this section, no [emergency] telecommunicator
23 first responder, jailor, or emergency medical service
24 personnel of the political subdivision shall be considered
25 public safety personnel for purposes determining a minimum
26 service retirement age as defined in section 70.600.

27 2. If an employer elects to cover [emergency
28 telecommunicators] telecommunicator first responders,
29 jailors, and emergency medical service personnel as public
30 safety personnel members of the system, the employer's
31 contributions shall be correspondingly changed effective the
32 same date as the effective date of the political
33 subdivision's election.

34 3. The limitation on increases in an employer's
35 contributions provided by subsection 6 of section 70.730
36 shall not apply to any contribution increase resulting from
37 an employer making an election under the provisions of this
38 section.

84.344. 1. Notwithstanding any provisions of this
2 chapter to the contrary, any city not within a county may
3 establish a municipal police force on or after July 1, 2013,
4 according to the procedures and requirements of this
5 section. The purpose of these procedures and requirements
6 is to provide for an orderly and appropriate transition in
7 the governance of the police force and provide for an
8 equitable employment transition for commissioned and
9 civilian personnel.

10 2. Upon the establishment of a municipal police force
11 by a city under sections 84.343 to 84.346, the board of
12 police commissioners shall convey, assign, and otherwise
13 transfer to the city title and ownership of all indebtedness
14 and assets, including, but not limited to, all funds and
15 real and personal property held in the name of or controlled

16 by the board of police commissioners created under sections
17 84.010 to 84.340. The board of police commissioners shall
18 execute all documents reasonably required to accomplish such
19 transfer of ownership and obligations.

20 3. If the city establishes a municipal police force
21 and completes the transfer described in subsection 2 of this
22 section, the city shall provide the necessary funds for the
23 maintenance of the municipal police force.

24 4. Before a city not within a county may establish a
25 municipal police force under this section, the city shall
26 adopt an ordinance accepting responsibility, ownership, and
27 liability as successor-in-interest for contractual
28 obligations, indebtedness, and other lawful obligations of
29 the board of police commissioners subject to the provisions
30 of subsection 2 of section 84.345.

31 5. A city not within a county that establishes a
32 municipal police force shall initially employ, without a
33 reduction in rank, salary, or benefits, all commissioned and
34 civilian personnel of the board of police commissioners
35 created under sections 84.010 to 84.340 that were employed
36 by the board immediately prior to the date the municipal
37 police force was established. Such commissioned personnel
38 who previously were employed by the board may only be
39 involuntarily terminated by the city not within a county for
40 cause. The city shall also recognize all accrued years of
41 service that such commissioned and civilian personnel had
42 with the board of police commissioners. Such personnel
43 shall be entitled to the same holidays, vacation, and sick
44 leave they were entitled to as employees of the board of
45 police commissioners.

46 6. (1) Commissioned and civilian personnel of a
47 municipal police force established under this section who
48 are hired prior to September 1, [2023] 2028, shall not be

49 subject to a residency requirement of retaining a primary
50 residence in a city not within a county but may be required
51 to maintain a primary residence located within a one-hour
52 response time.

53 (2) Commissioned and civilian personnel of a municipal
54 police force established under this section who are hired
55 after August 31, [2023] 2028, may be subject to a residency
56 rule no more restrictive than a requirement of retaining a
57 primary residence in a city not within a county for a total
58 of seven years and of then allowing the personnel to
59 maintain a primary residence outside the city not within a
60 county so long as the primary residence is located within a
61 one-hour response time.

62 7. The commissioned and civilian personnel who retire
63 from service with the board of police commissioners before
64 the establishment of a municipal police force under
65 subsection 1 of this section shall continue to be entitled
66 to the same pension benefits provided under chapter 86 and
67 the same benefits set forth in subsection 5 of this section.

68 8. If the city not within a county elects to establish
69 a municipal police force under this section, the city shall
70 establish a separate division for the operation of its
71 municipal police force. The civil service commission of the
72 city may adopt rules and regulations appropriate for the
73 unique operation of a police department. Such rules and
74 regulations shall reserve exclusive authority over the
75 disciplinary process and procedures affecting commissioned
76 officers to the civil service commission; however, until
77 such time as the city adopts such rules and regulations, the
78 commissioned personnel shall continue to be governed by the
79 board of police commissioner's rules and regulations in
80 effect immediately prior to the establishment of the
81 municipal police force, with the police chief acting in

82 place of the board of police commissioners for purposes of
83 applying the rules and regulations. Unless otherwise
84 provided for, existing civil service commission rules and
85 regulations governing the appeal of disciplinary decisions
86 to the civil service commission shall apply to all
87 commissioned and civilian personnel. The civil service
88 commission's rules and regulations shall provide that
89 records prepared for disciplinary purposes shall be
90 confidential, closed records available solely to the civil
91 service commission and those who possess authority to
92 conduct investigations regarding disciplinary matters
93 pursuant to the civil service commission's rules and
94 regulations. A hearing officer shall be appointed by the
95 civil service commission to hear any such appeals that
96 involve discipline resulting in a suspension of greater than
97 fifteen days, demotion, or termination, but the civil
98 service commission shall make the final findings of fact,
99 conclusions of law, and decision which shall be subject to
100 any right of appeal under chapter 536.

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

103 (1) Shall provide or contract for life insurance
104 coverage and for insurance benefits providing health,
105 medical, and disability coverage for commissioned and
106 civilian personnel of the municipal police force to the same
107 extent as was provided by the board of police commissioners
108 under section 84.160;

109 (2) Shall provide or contract for medical and life
110 insurance coverage for any commissioned or civilian
111 personnel who retired from service with the board of police
112 commissioners or who were employed by the board of police
113 commissioners and retire from the municipal police force of
114 a city not within a county to the same extent such medical

115 and life insurance coverage was provided by the board of
116 police commissioners under section 84.160;

117 (3) Shall make available medical and life insurance
118 coverage for purchase to the spouses or dependents of
119 commissioned and civilian personnel who retire from service
120 with the board of police commissioners or the municipal
121 police force and deceased commissioned and civilian
122 personnel who receive pension benefits under sections 86.200
123 to 86.366 at the rate that such dependent's or spouse's
124 coverage would cost under the appropriate plan if the
125 deceased were living; and

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

130 10. A city not within a county that establishes a
131 municipal police force under sections 84.343 to 84.346 shall
132 establish a transition committee of five members for the
133 purpose of: coordinating and implementing the transition of
134 authority, operations, assets, and obligations from the
135 board of police commissioners to the city; winding down the
136 affairs of the board; making nonbinding recommendations for
137 the transition of the police force from the board to the
138 city; and other related duties, if any, established by
139 executive order of the city's mayor. Once the ordinance
140 referenced in this section is enacted, the city shall
141 provide written notice to the board of police commissioners
142 and the governor of the state of Missouri. Within thirty
143 days of such notice, the mayor shall appoint three members
144 to the committee, two of whom shall be members of a
145 statewide law enforcement association that represents at
146 least five thousand law enforcement officers. The remaining
147 members of the committee shall include the police chief of

148 the municipal police force and a person who currently or
149 previously served as a commissioner on the board of police
150 commissioners, who shall be appointed to the committee by
151 the mayor of such city.

84.480. The board of police commissioners shall
2 appoint a chief of police who shall be the chief police
3 administrative and law enforcement officer of such cities.
4 The chief of police shall be chosen by the board solely on
5 the basis of his or her executive and administrative
6 qualifications and his or her demonstrated knowledge of
7 police science and administration with special reference to
8 his or her actual experience in law enforcement leadership
9 and the provisions of section 84.420. At the time of the
10 appointment, the chief shall not be more than sixty years of
11 age, shall have had at least five years' executive
12 experience in a governmental police agency and shall be
13 certified by a surgeon or physician to be in a good physical
14 condition, and shall be a citizen of the United States and
15 shall either be or become a citizen of the state of Missouri
16 and resident of the city in which he or she is appointed as
17 chief of police. In order to secure and retain the highest
18 type of police leadership within the departments of such
19 cities, the [chief shall receive a salary of not less than
20 eighty thousand two hundred eleven dollars, nor more than
21 one hundred eighty-nine thousand seven hundred twenty-six
22 dollars per annum] board shall establish a range for the
23 salary of the chief by resolution.

84.510. 1. For the purpose of operation of the police
2 department herein created, the chief of police, with the
3 approval of the board, shall appoint such number of police
4 department employees, including police officers and civilian
5 employees as the chief of police from time to time deems
6 necessary.

7 2. The base annual compensation of police officers
8 shall be as follows for the several ranks:

9 (1) Lieutenant colonels, not to exceed five in number,
10 at not less than seventy-one thousand nine hundred sixty-
11 nine dollars[, nor more than one hundred forty-six thousand
12 one hundred twenty-four dollars per annum each];

13 (2) Majors at not less than sixty-four thousand six
14 hundred seventy-one dollars[, nor more than one hundred
15 thirty-three thousand three hundred twenty dollars per annum
16 each];

17 (3) Captains at not less than fifty-nine thousand five
18 hundred thirty-nine dollars[, nor more than one hundred
19 twenty-one thousand six hundred eight dollars per annum
20 each];

21 (4) Sergeants at not less than forty-eight thousand
22 six hundred fifty-nine dollars[, nor more than one hundred
23 six thousand five hundred sixty dollars per annum each];

24 (5) Master patrol officers at not less than fifty-six
25 thousand three hundred four dollars[, nor more than ninety-
26 four thousand three hundred thirty-two dollars per annum
27 each];

28 (6) Master detectives at not less than fifty-six
29 thousand three hundred four dollars[, nor more than ninety-
30 four thousand three hundred thirty-two dollars per annum
31 each];

32 (7) Detectives, investigators, and police officers at
33 not less than twenty-six thousand six hundred forty-three
34 dollars[, nor more than eighty-seven thousand six hundred
35 thirty-six dollars per annum each].

36 3. The board of police commissioners has the authority
37 by resolution to effect a comprehensive pay schedule program
38 to provide for step increases with separate pay rates within
39 each rank, [in] using the above-specified salary minimums as

40 a base for such ranges from police officers through chief of
41 police.

42 4. Officers assigned to wear civilian clothes in the
43 performance of their regular duties may receive an
44 additional one hundred fifty dollars per month clothing
45 allowance. Uniformed officers may receive seventy-five
46 dollars per month uniform maintenance allowance.

47 5. The chief of police, subject to the approval of the
48 board, shall establish the total regular working hours for
49 all police department employees, and the board has the
50 power, upon recommendation of the chief, to pay additional
51 compensation for all hours of service rendered in excess of
52 the established regular working period, but the rate of
53 overtime compensation shall not exceed one and one-half
54 times the regular hourly rate of pay to which each member
55 shall normally be entitled. No credit shall be given nor
56 deductions made from payments for overtime for the purpose
57 of retirement benefits.

58 6. The board of police commissioners, by majority
59 affirmative vote, including the mayor, has the authority by
60 resolution to authorize incentive pay in addition to the
61 base compensation as provided for in subsection 2 of this
62 section, to be paid police officers of any rank who they
63 determine are assigned duties which require an extraordinary
64 degree of skill, technical knowledge and ability, or which
65 are highly demanding or unusual. No credit shall be given
66 nor deductions made from these payments for the purpose of
67 retirement benefits.

68 7. The board of police commissioners may effect
69 programs to provide additional compensation for successful
70 completion of academic work at an accredited college or
71 university. No credit shall be given nor deductions made
72 from these payments for the purpose of retirement benefits.

73 8. The additional pay increments provided in
74 subsections 6 and 7 of this section shall not be considered
75 a part of the base compensation of police officers of any
76 rank and shall not exceed ten percent of what the officer
77 would otherwise be entitled to pursuant to subsections 2 and
78 3 of this section.

79 9. Not more than twenty-five percent of the officers
80 in any rank who are receiving the maximum rate of pay
81 authorized by subsections 2 and 3 of this section may
82 receive the additional pay increments authorized by
83 subsections 6 and 7 of this section at any given time.
84 However, any officer receiving a pay increment provided
85 pursuant to the provisions of subsections 6 and 7 of this
86 section shall not be deprived of such pay increment as a
87 result of the limitations of this subsection.

 170.310. 1. For school year 2017-18 and each school
2 year thereafter, upon graduation from high school, pupils in
3 public schools and charter schools shall have received
4 thirty minutes of cardiopulmonary resuscitation instruction
5 and training in the proper performance of the Heimlich
6 maneuver or other first aid for choking given any time
7 during a pupil's four years of high school.

8 2. Beginning in school year 2017-18, any public school
9 or charter school serving grades nine through twelve shall
10 provide enrolled students instruction in cardiopulmonary
11 resuscitation. Students with disabilities may participate
12 to the extent appropriate as determined by the provisions of
13 the Individuals with Disabilities Education Act or Section
14 504 of the Rehabilitation Act. Instruction shall be included
15 in the district's existing health or physical education
16 curriculum. Instruction shall be based on a program
17 established by the American Heart Association or the
18 American Red Cross, or through a nationally recognized

19 program based on the most current national evidence-based
20 emergency cardiovascular care guidelines, and psychomotor
21 skills development shall be incorporated into the
22 instruction. For purposes of this section, "psychomotor
23 skills" means the use of hands-on practicing and skills
24 testing to support cognitive learning.

25 3. The teacher of the cardiopulmonary resuscitation
26 course or unit shall not be required to be a certified
27 trainer of cardiopulmonary resuscitation if the instruction
28 is not designed to result in certification of students.
29 Instruction that is designed to result in certification
30 being earned shall be required to be taught by an authorized
31 cardiopulmonary instructor. Schools may develop agreements
32 with any local chapter of a voluntary organization of first
33 responders to provide the required hands-on practice and
34 skills testing. For purposes of this subsection, "first
35 responders" shall include telecommunicator first responders
36 as defined in section 650.320.

37 4. The department of elementary and secondary
38 education may promulgate rules to implement this section.
39 Any rule or portion of a rule, as that term is defined in
40 section 536.010, that is created under the authority
41 delegated in this section shall become effective only if it
42 complies with and is subject to all of the provisions of
43 chapter 536 and, if applicable, section 536.028. This
44 section and chapter 536 are nonseverable and if any of the
45 powers vested with the general assembly pursuant to chapter
46 536 to review, to delay the effective date, or to disapprove
47 and annul a rule are subsequently held unconstitutional,
48 then the grant of rulemaking authority and any rule proposed
49 or adopted after August 28, 2012, shall be invalid and void.

190.091. 1. As used in this section, the following
2 terms mean:

3 (1) "Bioterrorism", the intentional use of any
4 microorganism, virus, infectious substance, or biological
5 product that may be engineered as a result of biotechnology
6 or any naturally occurring or bioengineered component of any
7 microorganism, virus, infectious substance, or biological
8 product to cause death, disease, or other biological
9 malfunction in a human, an animal, a plant, or any other
10 living organism to influence the conduct of government or to
11 intimidate or coerce a civilian population;

12 (2) "Department", the Missouri department of health
13 and senior services;

14 (3) "Director", the director of the department of
15 health and senior services;

16 (4) "Disaster locations", any geographical location
17 where a bioterrorism attack, terrorist attack, catastrophic
18 or natural disaster, or emergency occurs;

19 (5) "First responders", state and local law
20 enforcement personnel, telecommunicator first responders,
21 fire department personnel, and emergency medical personnel
22 who will be deployed to bioterrorism attacks, terrorist
23 attacks, catastrophic or natural disasters, and emergencies;

24 (6) "Missouri state highway patrol telecommunicator",
25 any authorized Missouri state highway patrol communications
26 division personnel whose primary responsibility includes
27 directly responding to emergency communications and who meet
28 the training requirements pursuant to section 650.340.

29 2. The department shall offer a vaccination program
30 for first responders and Missouri state highway patrol
31 telecommunicators who may be exposed to infectious diseases
32 when deployed to disaster locations as a result of a
33 bioterrorism event or a suspected bioterrorism event. The
34 vaccinations shall include, but are not limited to,
35 smallpox, anthrax, and other vaccinations when recommended

36 by the federal Centers for Disease Control and Prevention's
37 Advisory Committee on Immunization Practices.

38 3. Participation in the vaccination program shall be
39 voluntary by the first responders and Missouri state highway
40 patrol telecommunicators, except for first responders or
41 Missouri state highway patrol telecommunicators who, as
42 determined by their employer, cannot safely perform
43 emergency responsibilities when responding to a bioterrorism
44 event or suspected bioterrorism event without being
45 vaccinated. The recommendations of the Centers for Disease
46 Control and Prevention's Advisory Committee on Immunization
47 Practices shall be followed when providing appropriate
48 screening for contraindications to vaccination for first
49 responders and Missouri state highway patrol
50 telecommunicators. A first responder and Missouri state
51 highway patrol telecommunicator shall be exempt from
52 vaccinations when a written statement from a licensed
53 physician is presented to their employer indicating that a
54 vaccine is medically contraindicated for such person.

55 4. If a shortage of the vaccines referred to in
56 subsection 2 of this section exists following a bioterrorism
57 event or suspected bioterrorism event, the director, in
58 consultation with the governor and the federal Centers for
59 Disease Control and Prevention, shall give priority for such
60 vaccinations to persons exposed to the disease and to first
61 responders or Missouri state highway patrol
62 telecommunicators who are deployed to the disaster location.

63 5. The department shall notify first responders and
64 Missouri state highway patrol telecommunicators concerning
65 the availability of the vaccination program described in
66 subsection 2 of this section and shall provide education to
67 such first responders, [and] their employers, and Missouri

68 state highway patrol telecommunicators concerning the
69 vaccinations offered and the associated diseases.

70 6. The department may contract for the administration
71 of the vaccination program described in subsection 2 of this
72 section with health care providers, including but not
73 limited to local public health agencies, hospitals,
74 federally qualified health centers, and physicians.

75 7. The provisions of this section shall become
76 effective upon receipt of federal funding or federal grants
77 which designate that the funding is required to implement
78 vaccinations for first responders and Missouri state highway
79 patrol telecommunicators in accordance with the
80 recommendations of the federal Centers for Disease Control
81 and Prevention's Advisory Committee on Immunization
82 Practices. Upon receipt of such funding, the department
83 shall make available the vaccines to first responders and
84 Missouri state highway patrol telecommunicators as provided
85 in this section.

287.067. 1. In this chapter the term "occupational
2 disease" is hereby defined to mean, unless a different
3 meaning is clearly indicated by the context, an identifiable
4 disease arising with or without human fault out of and in
5 the course of the employment. Ordinary diseases of life to
6 which the general public is exposed outside of the
7 employment shall not be compensable, except where the
8 diseases follow as an incident of an occupational disease as
9 defined in this section. The disease need not to have been
10 foreseen or expected but after its contraction it must
11 appear to have had its origin in a risk connected with the
12 employment and to have flowed from that source as a rational
13 consequence.

14 2. An injury or death by occupational disease is
15 compensable only if the occupational exposure was the

16 prevailing factor in causing both the resulting medical
17 condition and disability. The "prevailing factor" is
18 defined to be the primary factor, in relation to any other
19 factor, causing both the resulting medical condition and
20 disability. Ordinary, gradual deterioration, or progressive
21 degeneration of the body caused by aging or by the normal
22 activities of day-to-day living shall not be compensable.

23 3. An injury due to repetitive motion is recognized as
24 an occupational disease for purposes of this chapter. An
25 occupational disease due to repetitive motion is compensable
26 only if the occupational exposure was the prevailing factor
27 in causing both the resulting medical condition and
28 disability. The "prevailing factor" is defined to be the
29 primary factor, in relation to any other factor, causing
30 both the resulting medical condition and disability.
31 Ordinary, gradual deterioration, or progressive degeneration
32 of the body caused by aging or by the normal activities of
33 day-to-day living shall not be compensable.

34 4. "Loss of hearing due to industrial noise" is
35 recognized as an occupational disease for purposes of this
36 chapter and is hereby defined to be a loss of hearing in one
37 or both ears due to prolonged exposure to harmful noise in
38 employment. "Harmful noise" means sound capable of
39 producing occupational deafness.

40 5. "Radiation disability" is recognized as an
41 occupational disease for purposes of this chapter and is
42 hereby defined to be that disability due to radioactive
43 properties or substances or to Roentgen rays (X-rays) or
44 exposure to ionizing radiation caused by any process
45 involving the use of or direct contact with radium or
46 radioactive properties or substances or the use of or direct
47 exposure to Roentgen rays (X-rays) or ionizing radiation.

48 6. Disease of the lungs or respiratory tract,
49 hypotension, hypertension, or disease of the heart or
50 cardiovascular system, including carcinoma, may be
51 recognized as occupational diseases for the purposes of this
52 chapter and are defined to be disability due to exposure to
53 smoke, gases, carcinogens, inadequate oxygen, of paid
54 firefighters of a paid fire department or paid police
55 officers of a paid police department certified under chapter
56 590 if a direct causal relationship is established, or
57 psychological stress of firefighters of a paid fire
58 department or paid peace officers of a police department who
59 are certified under chapter 590 if a direct causal
60 relationship is established.

61 7. Any employee who is exposed to and contracts any
62 contagious or communicable disease arising out of and in the
63 course of his or her employment shall be eligible for
64 benefits under this chapter as an occupational disease.

65 8. With regard to occupational disease due to
66 repetitive motion, if the exposure to the repetitive motion
67 which is found to be the cause of the injury is for a period
68 of less than three months and the evidence demonstrates that
69 the exposure to the repetitive motion with the immediate
70 prior employer was the prevailing factor in causing the
71 injury, the prior employer shall be liable for such
72 occupational disease.

73 9. (1) (a) Posttraumatic stress disorder (PTSD), as
74 described in the Diagnostic and Statistical Manual of Mental
75 Health Disorders, Fifth Edition, published by the American
76 Psychiatric Association, (DSM-5) is recognized as a
77 compensable occupational disease for purposes of this
78 chapter when diagnosed in a first responder. As used in
79 this section, "first responder" means emergency first
80 responders, law enforcement officers, sheriffs, deputy

81 sheriffs, firefighters, ambulance attendants and attendant
82 drivers, and emergency medical technician-paramedics.

83 (b) Benefits payable to a first responder pursuant to
84 this section shall not require a physical injury to the
85 first responder, and are not subject to any preexisting PTSD.

86 (2) The time for notice of injury or death in cases of
87 compensable PTSD pursuant to this section is measured from
88 exposure to one of the qualifying stressors listed in the
89 DSM-5 criteria, or the diagnosis of the disorder, whichever
90 is later. Any claim for compensation for such injury shall
91 be properly noticed to the division within fifty-two weeks
92 after the qualifying exposure, or the diagnosis of the
93 disorder, whichever is later.

590.033. 1. The POST commission shall establish
2 minimum standards for a chief of police training course
3 which shall include at least forty hours of training. All
4 police chiefs appointed after August 28, 2023, shall attend
5 a chief of police training course certified by the POST
6 commission not later than six months after the person's
7 appointment as a chief of police.

8 2. A chief of police may request an exemption from the
9 training in subsection 1 of this section by submitting to
10 the POST commission proof of completion of the Federal
11 Bureau of Investigation's national academy course or any
12 other equivalent training course within the previous ten
13 years or at least five years of experience as a police chief
14 in a Missouri law enforcement agency.

15 3. Any law enforcement agency who has a chief of
16 police appointed after August 28, 2023, that fails to
17 complete a chief of police training course within six months
18 of appointment shall be precluded from receiving any POST
19 commission training funds, state grant funds, or federal

20 grant funds until the police chief has completed the
21 training course.

22 4. While attending a chief of police training course,
23 the chief of police shall receive compensation in the same
24 manner and amount as if carrying out the powers and duties
25 of the chief of police. The cost of the chief of police
26 training course may be paid by moneys from the peace officer
27 standards and training commission fund created in section
28 590.178.

590.040. 1. The POST commission shall set the minimum
2 number of hours of basic training for licensure as a peace
3 officer no lower [than four hundred seventy and no higher]
4 than six hundred, with the following exceptions:

5 (1) Up to one thousand hours may be mandated for any
6 class of license required for commission by a state law
7 enforcement agency;

8 (2) As few as one hundred twenty hours may be mandated
9 for any class of license restricted to commission as a
10 reserve peace officer with police powers limited to the
11 commissioning political subdivision;

12 (3) Persons validly licensed on August 28, 2001, may
13 retain licensure without additional basic training;

14 (4) Persons licensed and commissioned within a county
15 of the third classification before July 1, 2002, may retain
16 licensure with one hundred twenty hours of basic training if
17 the commissioning political subdivision has adopted an order
18 or ordinance to that effect;

19 (5) Persons serving as a reserve officer on August 27,
20 2001, within a county of the first classification or a
21 county with a charter form of government and with more than
22 one million inhabitants on August 27, 2001, having
23 previously completed a minimum of one hundred sixty hours of
24 training, shall be granted a license necessary to function

25 as a reserve peace officer only within such county. For the
26 purposes of this subdivision, the term "reserve officer"
27 shall mean any person who serves in a less than full-time
28 law enforcement capacity, with or without pay and who,
29 without certification, has no power of arrest and who,
30 without certification, must be under the direct and
31 immediate accompaniment of a certified peace officer of the
32 same agency at all times while on duty; and

33 (6) The POST commission shall provide for the
34 recognition of basic training received at law enforcement
35 training centers of other states, the military, the federal
36 government and territories of the United States regardless
37 of the number of hours included in such training and shall
38 have authority to require supplemental training as a
39 condition of eligibility for licensure.

40 2. The director shall have the authority to limit any
41 exception provided in subsection 1 of this section to
42 persons remaining in the same commission or transferring to
43 a commission in a similar jurisdiction.

44 3. The basic training of every peace officer, except
45 agents of the conservation commission, shall include at
46 least thirty hours of training in the investigation and
47 management of cases involving domestic and family violence.
48 Such training shall include instruction, specific to
49 domestic and family violence cases, regarding: report
50 writing; physical abuse, sexual abuse, child fatalities and
51 child neglect; interviewing children and alleged
52 perpetrators; the nature, extent and causes of domestic and
53 family violence; the safety of victims, other family and
54 household members and investigating officers; legal rights
55 and remedies available to victims, including rights to
56 compensation and the enforcement of civil and criminal
57 remedies; services available to victims and their children;

58 the effects of cultural, racial and gender bias in law
59 enforcement; and state statutes. Said curriculum shall be
60 developed and presented in consultation with the department
61 of health and senior services, the children's division,
62 public and private providers of programs for victims of
63 domestic and family violence, persons who have demonstrated
64 expertise in training and education concerning domestic and
65 family violence, and the Missouri coalition against domestic
66 violence.

590.080. 1. As used in this section, the following
2 terms shall mean:

3 (1) "Gross misconduct", includes any willful and
4 wanton or unlawful conduct motivated by premeditated or
5 intentional purpose or by purposeful indifference to the
6 consequences of one's acts;

7 (2) "Moral turpitude", the wrongful quality shared by
8 acts of fraud, theft, bribery, illegal drug use, sexual
9 misconduct, and other similar acts as defined by the common
10 law of Missouri;

11 (3) "Reckless disregard", a conscious disregard of a
12 substantial risk that circumstances exist or that a result
13 will follow, and such failure constitutes a gross deviation
14 from the standard of care that a reasonable peace officer
15 would exercise in the situation.

16 2. The director shall have cause to discipline any
17 peace officer licensee who:

18 (1) Is unable to perform the functions of a peace
19 officer with reasonable competency or reasonable safety [as
20 a result of a mental condition, including alcohol or
21 substance abuse];

22 (2) Has committed any criminal offense, whether or not
23 a criminal charge has been filed, has been convicted, or has
24 entered a plea of guilty or nolo contendere, in a criminal

25 prosecution under the laws of any state, or the United
26 States, or of any country, regardless of whether or not
27 sentence is imposed;

28 (3) Has committed any act [while on active duty or
29 under color of law] that involves moral turpitude or a
30 reckless disregard for the safety of the public or any
31 person;

32 (4) Has caused a material fact to be misrepresented
33 for the purpose of obtaining or retaining a peace officer
34 commission or any license issued pursuant to this chapter;

35 (5) Has violated a condition of any order of probation
36 lawfully issued by the director; [or]

37 (6) Has violated a provision of this chapter or a rule
38 promulgated pursuant to this chapter;

39 (7) Has tested positive for a controlled substance, as
40 defined in chapter 195, without a valid prescription for the
41 controlled substance;

42 (8) Is subject to an order of another state,
43 territory, the federal government, or any peace officer
44 licensing authority suspending or revoking a peace officer
45 license or certification; or

46 (9) Has committed any act of gross misconduct
47 indicating inability to function as a peace officer.

48 [2.] 3. When the director has knowledge of cause to
49 discipline a peace officer license pursuant to this section,
50 the director may cause a complaint to be filed with the
51 administrative hearing commission, which shall conduct a
52 hearing to determine whether the director has cause for
53 discipline, and which shall issue findings of fact and
54 conclusions of law on the matter. The administrative
55 hearing commission shall not consider the relative severity
56 of the cause for discipline or any rehabilitation of the
57 licensee or otherwise impinge upon the discretion of the

58 director to determine appropriate discipline when cause
59 exists pursuant to this section.

60 [3.] 4. Upon a finding by the administrative hearing
61 commission that cause to discipline exists, the director
62 shall, within thirty days, hold a hearing to determine the
63 form of discipline to be imposed and thereafter shall
64 probate, suspend, or permanently revoke the license at
65 issue. If the licensee fails to appear at the director's
66 hearing, this shall constitute a waiver of the right to such
67 hearing.

68 [4.] 5. Notice of any hearing pursuant to this chapter
69 or section may be made by certified mail to the licensee's
70 address of record pursuant to subdivision (2) of subsection
71 3 of section 590.130. Proof of refusal of the licensee to
72 accept delivery or the inability of postal authorities to
73 deliver such certified mail shall be evidence that required
74 notice has been given. Notice may be given by publication.

75 [5.] 6. Nothing contained in this section shall
76 prevent a licensee from informally disposing of a cause for
77 discipline with the consent of the director by voluntarily
78 surrendering a license or by voluntarily submitting to
79 discipline.

80 [6.] 7. The provisions of chapter 621 and any
81 amendments thereto, except those provisions or amendments
82 that are in conflict with this chapter, shall apply to and
83 govern the proceedings of the administrative hearing
84 commission and pursuant to this section the rights and
85 duties of the parties involved.

590.192. 1. There is hereby established the "Critical
2 Incident Stress Management Program" within the department of
3 public safety. The program shall provide services for peace
4 officers and firefighters to assist in coping with stress
5 and potential psychological trauma resulting from a response

6 to a critical incident or emotionally difficult event. Such
7 services may include consultation, risk assessment,
8 education, intervention, and other crisis intervention
9 services provided by the department to peace officers and
10 firefighters affected by a critical incident. For purposes
11 of this section, a "critical incident" shall mean any event
12 outside the usual realm of human experience that is markedly
13 distressing or evokes reactions of intense fear,
14 helplessness, or horror and involves the perceived threat to
15 a person's physical integrity or the physical integrity of
16 someone else.

17 2. All peace officers and firefighters shall be
18 required to meet with a program service provider once every
19 three to five years for a mental health check-in. The
20 program service provider shall send a notification to the
21 peace officer's commanding officer or firefighter's fire
22 protection district director that he or she completed such
23 check-in.

24 3. Any information disclosed by a peace officer or
25 firefighter shall be privileged and shall not be used as
26 evidence in criminal, administrative, or civil proceedings
27 against the peace officer or firefighter unless:

28 (1) A program representative reasonably believes the
29 disclosure is necessary to prevent harm to a person who
30 received services or to prevent harm to another person;

31 (2) The person who received the services provides
32 written consent to the disclosure; or

33 (3) The person receiving services discloses
34 information that is required to be reported under mandatory
35 reporting laws.

36 4. (1) There is hereby created in the state treasury
37 the "988 Public Safety Fund", which shall consist of moneys
38 appropriated by the general assembly. The state treasurer

39 shall be custodian of the fund. In accordance with sections
40 30.170 and 30.180, the state treasurer may approve
41 disbursements. The fund shall be a dedicated fund and
42 moneys in the fund shall be used solely by the department of
43 public safety for the purposes of providing services for
44 peace officers and firefighters to assist in coping with
45 stress and potential psychological trauma resulting from a
46 response to a critical incident or emotionally difficult
47 event pursuant to subsection 1 of this section. Such
48 services may include consultation, risk assessment,
49 education, intervention, and other crisis intervention
50 services provided by the department to peace officers or
51 firefighters affected by a critical incident. The director
52 of public safety may prescribe rules and regulations
53 necessary to carry out the provisions of this section. Any
54 rule or portion of a rule, as that term is defined in
55 section 536.010, that is created under the authority
56 delegated in this section shall become effective only if it
57 complies with and is subject to all of the provisions of
58 chapter 536 and, if applicable, section 536.028. This
59 section and chapter 536 are nonseverable and if any of the
60 powers vested with the general assembly pursuant to chapter
61 536 to review, to delay the effective date, or to disapprove
62 and annul a rule are subsequently held unconstitutional,
63 then the grant of rulemaking authority and any rule proposed
64 or adopted after August 28, 2021, shall be invalid and void.

65 (2) Notwithstanding the provisions of section 33.080
66 to the contrary, any moneys remaining in the fund at the end
67 of the biennium shall not revert to the credit of the
68 general revenue fund.

69 (3) The state treasurer shall invest moneys in the
70 fund in the same manner as other funds are invested. Any

71 interest and moneys earned on such investments shall be
72 credited to the fund.

650.320. For the purposes of sections 650.320 to
2 650.340, the following terms mean:

3 (1) "Board", the Missouri 911 service board
4 established in section 650.325;

5 (2) "Public safety answering point", the location at
6 which 911 calls are answered;

7 (3) "Telecommunicator first responder", any person
8 employed as an emergency [telephone worker,] call taker or
9 public safety dispatcher whose duties include receiving,
10 processing or transmitting public safety information
11 received through a 911 public safety answering point.

650.330. 1. The board shall consist of fifteen
2 members, one of which shall be chosen from the department of
3 public safety, and the other members shall be selected as
4 follows:

5 (1) One member chosen to represent an association
6 domiciled in this state whose primary interest relates to
7 municipalities;

8 (2) One member chosen to represent the Missouri 911
9 Directors Association;

10 (3) One member chosen to represent emergency medical
11 services and physicians;

12 (4) One member chosen to represent an association with
13 a chapter domiciled in this state whose primary interest
14 relates to a national emergency number;

15 (5) One member chosen to represent an association
16 whose primary interest relates to issues pertaining to fire
17 chiefs;

18 (6) One member chosen to represent an association with
19 a chapter domiciled in this state whose primary interest

20 relates to issues pertaining to public safety communications
21 officers;

22 (7) One member chosen to represent an association
23 whose primary interest relates to issues pertaining to
24 police chiefs;

25 (8) One member chosen to represent an association
26 domiciled in this state whose primary interest relates to
27 issues pertaining to sheriffs;

28 (9) One member chosen to represent counties of the
29 second, third, and fourth classification;

30 (10) One member chosen to represent counties of the
31 first classification, counties with a charter form of
32 government, and cities not within a county;

33 (11) One member chosen to represent telecommunications
34 service providers;

35 (12) One member chosen to represent wireless
36 telecommunications service providers;

37 (13) One member chosen to represent voice over
38 internet protocol service providers; and

39 (14) One member chosen to represent the governor's
40 council on disability established under section 37.735.

41 2. Each of the members of the board shall be appointed
42 by the governor with the advice and consent of the senate
43 for a term of four years. Members of the committee may
44 serve multiple terms. No corporation or its affiliate shall
45 have more than one officer, employee, assign, agent, or
46 other representative serving as a member of the board.
47 Notwithstanding subsection 1 of this section to the
48 contrary, all members appointed as of August 28, 2017, shall
49 continue to serve the remainder of their terms.

50 3. The board shall meet at least quarterly at a place
51 and time specified by the chairperson of the board and it
52 shall keep and maintain records of such meetings, as well as

53 the other activities of the board. Members shall not be
54 compensated but shall receive actual and necessary expenses
55 for attending meetings of the board.

56 4. The board shall:

57 (1) Organize and adopt standards governing the board's
58 formal and informal procedures;

59 (2) Provide recommendations for primary answering
60 points and secondary answering points on technical and
61 operational standards for 911 services;

62 (3) Provide recommendations to public agencies
63 concerning model systems to be considered in preparing a 911
64 service plan;

65 (4) Provide requested mediation services to political
66 subdivisions involved in jurisdictional disputes regarding
67 the provision of 911 services, except that the board shall
68 not supersede decision-making authority of local political
69 subdivisions in regard to 911 services;

70 (5) Provide assistance to the governor and the general
71 assembly regarding 911 services;

72 (6) Review existing and proposed legislation and make
73 recommendations as to changes that would improve such
74 legislation;

75 (7) Aid and assist in the timely collection and
76 dissemination of information relating to the use of a
77 universal emergency telephone number;

78 (8) Perform other duties as necessary to promote
79 successful development, implementation and operation of 911
80 systems across the state, including monitoring federal and
81 industry standards being developed for next-generation 911
82 systems;

83 (9) Designate a state 911 coordinator who shall be
84 responsible for overseeing statewide 911 operations and
85 ensuring compliance with federal grants for 911 funding;

- 86 (10) Elect the chair from its membership;
- 87 (11) Apply for and receive grants from federal,
88 private, and other sources;
- 89 (12) Report to the governor and the general assembly
90 at least every three years on the status of 911 services
91 statewide, as well as specific efforts to improve
92 efficiency, cost-effectiveness, and levels of service;
- 93 (13) Conduct and review an annual survey of public
94 safety answering points in Missouri to evaluate potential
95 for improved services, coordination, and feasibility of
96 consolidation;
- 97 (14) Make and execute contracts or any other
98 instruments and agreements necessary or convenient for the
99 exercise of its powers and functions, including for the
100 development and implementation of an emergency services
101 internet protocol network that can be shared by all public
102 safety agencies;
- 103 (15) Develop a plan and timeline of target dates for
104 the testing, implementation, and operation of a next-
105 generation 911 system throughout Missouri. The next-
106 generation 911 system shall allow for the processing of
107 electronic messages including, but not limited to,
108 electronic messages containing text, images, video, or data;
- 109 (16) Administer and authorize grants and loans under
110 section 650.335 to those counties and any home rule city
111 with more than fifteen thousand but fewer than seventeen
112 thousand inhabitants and partially located in any county of
113 the third classification without a township form of
114 government and with more than thirty-seven thousand but
115 fewer than forty-one thousand inhabitants that can
116 demonstrate a financial commitment to improving 911 services
117 by providing at least a fifty percent match and demonstrate
118 the ability to operate and maintain ongoing 911 services.

119 The purpose of grants and loans from the 911 service trust
120 fund shall include:

121 (a) Implementation of 911 services in counties of the
122 state where services do not exist or to improve existing 911
123 systems;

124 (b) Promotion of consolidation where appropriate;

125 (c) Mapping and addressing all county locations;

126 (d) Ensuring primary access and texting abilities to
127 911 services for disabled residents;

128 (e) Implementation of initial emergency medical
129 dispatch services, including prearrival medical instructions
130 in counties where those services are not offered as of July
131 1, 2019; and

132 (f) Development and implementation of an emergency
133 services internet protocol network that can be shared by all
134 public safety agencies;

135 (17) Develop an application process including
136 reporting and accountability requirements, withholding a
137 portion of the grant until completion of a project, and
138 other measures to ensure funds are used in accordance with
139 the law and purpose of the grant, and conduct audits as
140 deemed necessary;

141 (18) Set the percentage rate of the prepaid wireless
142 emergency telephone service charges to be remitted to a
143 county or city as provided under subdivision (5) of
144 subsection 3 of section 190.460;

145 (19) Retain in its records proposed county plans
146 developed under subsection 11 of section 190.455 and notify
147 the department of revenue that the county has filed a plan
148 that is ready for implementation;

149 (20) Notify any communications service provider, as
150 defined in section 190.400, that has voluntarily submitted
151 its contact information when any update is made to the

152 centralized database established under section 190.475 as a
153 result of a county or city establishing or modifying a tax
154 or monthly fee no less than ninety days prior to the
155 effective date of the establishment or modification of the
156 tax or monthly fee;

157 (21) Establish criteria for consolidation
158 prioritization of public safety answering points;

159 (22) In coordination with existing public safety
160 answering points, by December 31, 2018, designate no more
161 than eleven regional 911 coordination centers which shall
162 coordinate statewide interoperability among public safety
163 answering points within their region through the use of a
164 statewide 911 emergency services network; [and]

165 (23) Establish an annual budget, retain records of all
166 revenue and expenditures made, retain minutes of all
167 meetings and subcommittees, post records, minutes, and
168 reports on the board's webpage on the department of public
169 safety website; and

170 (24) Promote and educate the public about the critical
171 role of telecommunicator first responders in protecting the
172 public and ensuring public safety.

173 5. The department of public safety shall provide staff
174 assistance to the board as necessary in order for the board
175 to perform its duties pursuant to sections 650.320 to
176 650.340. The board shall have the authority to hire
177 consultants to administer the provisions of sections 650.320
178 to 650.340.

179 6. The board shall promulgate rules and regulations
180 that are reasonable and necessary to implement and
181 administer the provisions of sections 190.455, 190.460,
182 190.465, 190.470, 190.475, and sections 650.320 to 650.340.
183 Any rule or portion of a rule, as that term is defined in
184 section 536.010, shall become effective only if it has been

185 promulgated pursuant to the provisions of chapter 536. This
186 section and chapter 536 are nonseverable and if any of the
187 powers vested with the general assembly pursuant to chapter
188 536 to review, to delay the effective date or to disapprove
189 and annul a rule are subsequently held unconstitutional,
190 then the grant of rulemaking authority and any rule proposed
191 or adopted after August 28, 2017, shall be invalid and void.

650.340. 1. The provisions of this section may be
2 cited and shall be known as the "911 Training and Standards
3 Act".

4 2. Initial training requirements for
5 ~~[telecommunicators]~~ telecommunicator first responders who
6 answer 911 calls that come to public safety answering points
7 shall be as follows:

8 (1) Police telecommunicator first responder, 16 hours;

9 (2) Fire telecommunicator first responder, 16 hours;

10 (3) Emergency medical services telecommunicator first
11 responder, 16 hours;

12 (4) Joint communication center telecommunicator first
13 responder, 40 hours.

14 3. All persons employed as a telecommunicator first
15 responder in this state shall be required to complete
16 ongoing training so long as such person engages in the
17 occupation as a telecommunicator first responder. Such
18 persons shall complete at least twenty-four hours of ongoing
19 training every three years by such persons or organizations
20 as provided in subsection 6 of this section.

21 4. Any person employed as a telecommunicator on August
22 28, 1999, shall not be required to complete the training
23 requirement as provided in subsection 2 of this section.

24 Any person hired as a telecommunicator or a telecommunicator
25 first responder after August 28, 1999, shall complete the
26 training requirements as provided in subsection 2 of this

27 section within twelve months of the date such person is
28 employed as a telecommunicator or telecommunicator first
29 responder.

30 5. The training requirements as provided in subsection
31 2 of this section shall be waived for any person who
32 furnishes proof to the committee that such person has
33 completed training in another state which is at least as
34 stringent as the training requirements of subsection 2 of
35 this section.

36 6. The board shall determine by administrative rule
37 the persons or organizations authorized to conduct the
38 training as required by subsection 2 of this section.

39 7. This section shall not apply to an emergency
40 medical dispatcher or dispatch agency as defined in section
41 190.100, or a person trained by an entity accredited or
42 certified under section 190.131, or a person who provides
43 prearrival medical instructions who works for an agency
44 which meets the requirements set forth in section 190.134.