

# SENATE BILL NO. 626

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR MAY.

2471S.02I

KRISTINA MARTIN, Secretary

## AN ACT

To repeal sections 84.344 and 285.040, RSMo, and to enact in lieu thereof two new sections relating to residency requirements for employees of the city of St. Louis.

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

Section A. Sections 84.344 and 285.040, RSMo, are repealed  
2 and two new sections enacted in lieu thereof, to be known as  
3 sections 84.344 and 285.040, to read as follows:

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

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

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.

285.040. 1. As used in this section, "public safety  
2 employee" shall mean a person trained or authorized by law  
3 or rule to render emergency medical assistance or treatment,  
4 including, but not limited to, firefighters, ambulance  
5 attendants and attendant drivers, emergency medical  
6 technicians, emergency medical technician paramedics,  
7 dispatchers, registered nurses, physicians, and sheriffs and  
8 deputy sheriffs.

9 2. No public safety employee **or any other employee** of  
10 a city not within a county who is hired prior to September  
11 1, [2023] 2028, shall be subject to a residency requirement  
12 of retaining a primary residence in a city not within a  
13 county but may be required to maintain a primary residence  
14 located within a one-hour response time.

15 3. Public safety employees of a city not within a  
16 county who are hired after August 31, [2023] 2028, may be  
17 subject to a residency rule no more restrictive than a  
18 requirement of retaining a primary residence in a city not  
19 within a county for a total of seven years and of then  
20 allowing the public safety employee to maintain a primary  
21 residence outside the city not within a county so long as  
22 the primary residence is located within a one-hour response  
23 time.

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