

FIRST REGULAR SESSION

[PERFECTED]

SENATE SUBSTITUTE FOR

SENATE COMMITTEE SUBSTITUTE FOR

SENATE BILLS NOS. 119 & 120

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR LUETKEMEYER.

1076S.05P

KRISTINA MARTIN, Secretary

AN ACT

To repeal sections 67.145, 70.631, 84.344, 84.480, 84.510, 170.310, 190.091, 287.067, 590.192, 650.320, 650.330, and 650.340, RSMo, and to enact in lieu thereof twelve new sections relating to first responders.

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

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3 and 650.340, RSMo, are repealed and twelve new sections enacted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

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

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

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.**

590.192. 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.

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