

SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE NO. 2
FOR
HOUSE BILL NO. 495

AN ACT

To repeal sections 43.503, 43.505, 56.750, 82.1000, 84.020, 84.030, 84.100, 84.150, 84.160, 84.170, 84.175, 84.240, 84.341, 84.342, 84.343, 84.344, 84.345, 84.346, 84.347, 105.726, 217.825, 217.827, 217.829, 217.831, 217.833, 217.835, 217.837, 217.839, 217.841, 304.012, 455.095, 513.605, 556.061, 566.210, 566.211, 568.045, 570.030, 575.133, 575.150, 576.030, 577.150, 590.040, 595.209, and 650.058, RSMo, and section 56.265 as enacted by senate bill no. 672, ninety-seventh general assembly, second regular session, and section 56.265 as enacted by senate bill no. 275, ninetieth general assembly, first regular session, and to enact in lieu thereof forty-two new sections relating to public safety, with penalty provisions and an emergency clause for certain sections.

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

Section A. Sections 43.503, 43.505, 56.750, 82.1000,
2 84.020, 84.030, 84.100, 84.150, 84.160, 84.170, 84.175, 84.240,
3 84.341, 84.342, 84.343, 84.344, 84.345, 84.346, 84.347,
4 105.726, 217.825, 217.827, 217.829, 217.831, 217.833, 217.835,
5 217.837, 217.839, 217.841, 304.012, 455.095, 513.605, 556.061,
6 566.210, 566.211, 568.045, 570.030, 575.133, 575.150, 576.030,
7 577.150, 590.040, 595.209, and 650.058, RSMo, and section
8 56.265 as enacted by senate bill no. 672, ninety-seventh general

9 assembly, second regular session, and section 56.265 as enacted
10 by senate bill no. 275, ninetieth general assembly, first
11 regular session, are repealed and forty-two new sections
12 enacted in lieu thereof, to be known as sections 43.503, 43.505,
13 44.087, 56.265, 56.750, 82.1000, 84.012, 84.020, 84.030,
14 84.100, 84.150, 84.160, 84.170, 84.225, 84.325, 105.726,
15 191.1005, 217.451, 221.108, 221.520, 221.523, 304.012, 304.145,
16 455.095, 491.065, 513.605, 556.061, 566.210, 566.211, 568.045,
17 569.151, 570.030, 575.133, 575.150, 576.030, 577.150, 590.040,
18 590.208, 595.209, 595.325, 650.058, and 1, to read as follows:

43.503. 1. For the purpose of maintaining complete
2 and accurate criminal history record information, all police
3 officers of this state, the clerk of each court, the
4 department of corrections, the sheriff of each county, the
5 chief law enforcement official of a city not within a county
6 and the prosecuting attorney of each county or the circuit
7 attorney of a city not within a county shall submit certain
8 criminal arrest, charge, and disposition information to the
9 central repository for filing without undue delay in the
10 form and manner required by sections 43.500 to 43.651.

11 2. All law enforcement agencies making misdemeanor and
12 felony arrests as determined by section 43.506 shall furnish
13 without undue delay, to the central repository,
14 fingerprints, photograph, and if available, any other unique
15 biometric identification collected, charges, appropriate
16 charge codes, and descriptions of all persons who are
17 arrested for such offenses on standard fingerprint forms
18 supplied or approved by the highway patrol or electronically
19 in a format and manner approved by the highway patrol and in
20 compliance with the standards set by the Federal Bureau of
21 Investigation in its Automated Fingerprint Identification
22 System or its successor program. All such agencies shall
23 also notify the central repository of all decisions not to

24 refer such arrests for prosecution. An agency making such
25 arrests may enter into arrangements with other law
26 enforcement agencies for the purpose of furnishing without
27 undue delay such fingerprints, photograph, and if available,
28 any other unique biometric identification collected,
29 charges, appropriate charge codes, and descriptions to the
30 central repository upon its behalf.

31 3. In order for the Missouri office of prosecution
32 services to maintain complete and accurate statewide reports
33 as required by section 56.750, on or before January 1, 2028,
34 and thereafter, all police officers of this state, the
35 sheriff and each deputy sheriff of each county, and the
36 chief law enforcement official of a city not within a county
37 and his or her officers shall submit referrals for any
38 traffic violation, ordinance violation, or misdemeanor or
39 felony offense referred to a prosecuting or circuit attorney
40 in the form and manner approved by the Missouri office of
41 prosecution services as required by subdivision (7) of
42 subsection 1 of section 56.750. At a minimum, any referral
43 to a prosecuting attorney or circuit attorney for a felony
44 offense shall include a probable cause statement and an
45 investigative report. Any law enforcement agency that
46 violates this subsection shall be ineligible to receive
47 state or federal funds that would otherwise be paid to such
48 agency for law enforcement, safety, or criminal justice
49 purposes.

50 4. In instances where an individual less than
51 seventeen years of age and not currently certified as an
52 adult is taken into custody for an offense which would be a
53 felony if committed by an adult, the arresting officer shall
54 take fingerprints for the central repository. These
55 fingerprints shall be taken on fingerprint cards supplied by
56 or approved by the highway patrol or transmitted

57 electronically in a format and manner approved by the
58 highway patrol and in compliance with the standards set by
59 the Federal Bureau of Investigation in its Automated
60 Fingerprint Identification System or its successor program.
61 The fingerprint cards shall be so constructed that the name
62 of the juvenile should not be made available to the central
63 repository. The individual's name and the unique number
64 associated with the fingerprints and other pertinent
65 information shall be provided to the court of jurisdiction
66 by the agency taking the juvenile into custody. The
67 juvenile's fingerprints and other information shall be
68 forwarded to the central repository and the courts without
69 undue delay. The fingerprint information from the card
70 shall be captured and stored in the automated fingerprint
71 identification system operated by the central repository.
72 In the event the fingerprints are found to match other
73 tenprints or unsolved latent prints, the central repository
74 shall notify the submitting agency who shall notify the
75 court of jurisdiction as per local agreement. Under section
76 211.031, in instances where a juvenile over fifteen and one-
77 half years of age is alleged to have violated a state or
78 municipal traffic ordinance or regulation, which does not
79 constitute a felony, and the juvenile court does not have
80 jurisdiction, the juvenile shall not be fingerprinted unless
81 certified as an adult.

82 [4.] 5. Upon certification of the individual as an
83 adult, the certifying court shall order a law enforcement
84 agency to immediately fingerprint and photograph the
85 individual and certification papers will be forwarded to the
86 appropriate law enforcement agency with the order for
87 fingerprinting. The law enforcement agency shall submit
88 such fingerprints, photograph, and certification papers to
89 the central repository within fifteen days and shall furnish

90 the offense cycle number associated with the fingerprints to
91 the prosecuting attorney or the circuit attorney of a city
92 not within a county and to the clerk of the court ordering
93 the subject fingerprinted. If the juvenile is acquitted of
94 the crime and is no longer certified as an adult, the
95 prosecuting attorney shall notify within fifteen days the
96 central repository of the change of status of the juvenile.
97 Records of a child who has been fingerprinted and
98 photographed after being taken into custody shall be closed
99 records as provided under section 610.100 if a petition has
100 not been filed within thirty days of the date that the child
101 was taken into custody; and if a petition for the child has
102 not been filed within one year of the date the child was
103 taken into custody, any records relating to the child
104 concerning the alleged offense may be expunged under the
105 procedures in sections 610.122 to 610.126.

106 [5.] 6. The prosecuting attorney of each county or the
107 circuit attorney of a city not within a county or the
108 municipal prosecuting attorney shall notify the central
109 repository on standard forms supplied by the highway patrol
110 or in a manner approved by the highway patrol of his or her
111 decision to not file a criminal charge on any charge
112 referred to such prosecuting attorney or circuit attorney
113 for criminal charges. All records forwarded to the central
114 repository and the courts by prosecutors or circuit
115 attorneys as required by sections 43.500 to 43.530 shall
116 include the state offense cycle number of the offense, the
117 charge code for the offense, and the originating agency
118 identifier number of the reporting prosecutor, using such
119 numbers as assigned by the highway patrol.

120 [6.] 7. The clerk of the courts of each county or city
121 not within a county or municipal court clerk shall furnish
122 the central repository, on standard forms supplied by the

123 highway patrol or in a manner approved by the highway
124 patrol, with a record of all charges filed, including all
125 those added subsequent to the filing of a criminal court
126 case, amended charges, and all final dispositions of cases
127 for which the central repository has a record of an arrest
128 or a record of fingerprints reported pursuant to sections
129 43.500 to 43.506. Such information shall include, for each
130 charge:

131 (1) All judgments of not guilty, acquittals on the
132 ground of mental disease or defect excluding responsibility,
133 judgments or pleas of guilty including the sentence, if any,
134 or probation, if any, pronounced by the court, nolle pros,
135 discharges, releases and dismissals in the trial court;

136 (2) Court orders filed with the clerk of the courts
137 which reverse a reported conviction or vacate or modify a
138 sentence;

139 (3) Judgments terminating or revoking a sentence to
140 probation, supervision or conditional release and any
141 resentencing after such revocation; and

142 (4) The offense cycle number of the offense, and the
143 originating agency identifier number of the sentencing
144 court, using such numbers as assigned by the highway patrol.

145 [7.] 8. The clerk of the courts of each county or city
146 not within a county shall furnish, to the department of
147 corrections or department of mental health, court judgment
148 and sentence documents and the state offense cycle number
149 and the charge code of the offense which resulted in the
150 commitment or assignment of an offender to the jurisdiction
151 of the department of corrections or the department of mental
152 health if the person is committed pursuant to chapter 552.
153 This information shall be reported to the department of
154 corrections or the department of mental health at the time
155 of commitment or assignment. If the offender was already in

156 the custody of the department of corrections or the
157 department of mental health at the time of such subsequent
158 conviction, the clerk shall furnish notice of such
159 subsequent conviction to the appropriate department by
160 certified mail, return receipt requested, or in a manner and
161 format mutually agreed to, within fifteen days of such
162 disposition.

163 [8.] 9. Information and fingerprints, photograph and
164 if available, any other unique biometric identification
165 collected, forwarded to the central repository, normally
166 obtained from a person at the time of the arrest, may be
167 obtained at any time the subject is in the criminal justice
168 system or committed to the department of mental health. A
169 law enforcement agency or the department of corrections may
170 fingerprint, photograph, and capture any other unique
171 biometric identification of the person unless collecting
172 other unique biometric identification of the person is not
173 financially feasible for the law enforcement agency, and
174 obtain the necessary information at any time the subject is
175 in custody. If at the time of any court appearance, the
176 defendant has not been fingerprinted and photographed for an
177 offense in which a fingerprint and photograph is required by
178 statute to be collected, maintained, or disseminated by the
179 central repository, the court shall order a law enforcement
180 agency or court marshal to fingerprint and photograph
181 immediately the defendant. The order for fingerprints shall
182 contain the offense, charge code, date of offense, and any
183 other information necessary to complete the fingerprint
184 card. The law enforcement agency or court marshal shall
185 submit such fingerprints, photograph, and if available, any
186 other unique biometric identification collected, to the
187 central repository without undue delay and within thirty
188 days and shall furnish the offense cycle number associated

189 with the fingerprints to the prosecuting attorney or the
190 circuit attorney of a city not within a county and to the
191 court clerk of the court ordering the subject fingerprinted.

192 [9.] 10. The department of corrections and the
193 department of mental health shall furnish the central
194 repository with all information concerning the receipt,
195 escape, execution, death, release, pardon, parole,
196 commutation of sentence, granting of executive clemency,
197 legal name change, or discharge of an individual who has
198 been sentenced to that department's custody for any offenses
199 which are mandated by law to be collected, maintained or
200 disseminated by the central repository. All records
201 forwarded to the central repository by the department as
202 required by sections 43.500 to 43.651 shall include the
203 offense cycle number of the offense, and the originating
204 agency identifier number of the department using such
205 numbers as assigned by the highway patrol.

43.505. 1. The department of public safety is hereby
2 designated as the central repository for the collection,
3 maintenance, analysis and reporting of crime incident
4 activity generated by law enforcement agencies in this
5 state. The department shall develop and operate a uniform
6 crime reporting system that is compatible with the national
7 uniform crime reporting system operated by the Federal
8 Bureau of Investigation.

9 2. The department of public safety shall:

10 (1) Develop, operate and maintain an information
11 system for the collection, storage, maintenance, analysis
12 and retrieval of crime incident and arrest reports from
13 Missouri law enforcement agencies;

14 (2) Compile the statistical data and forward such data
15 as required to the Federal Bureau of Investigation or the

16 appropriate Department of Justice agency in accordance with
17 the standards and procedures of the national system;

18 (3) Provide the forms, formats, procedures, standards
19 and related training or training assistance to all law
20 enforcement agencies in the state as necessary for such
21 agencies to report incident and arrest activity for timely
22 inclusion into the statewide system;

23 (4) Annually publish a report on the nature and extent
24 of crime and submit such report to the governor and the
25 general assembly. Such report and other statistical reports
26 shall be made available to state and local law enforcement
27 agencies and the general public through an electronic or
28 manual medium;

29 (5) Maintain the privacy and security of information
30 in accordance with applicable state and federal laws,
31 regulations and orders; and

32 (6) Establish such rules and regulations as are
33 necessary for implementing the provisions of this section.
34 Any rule or portion of a rule, as that term is defined in
35 section 536.010, that is created under the authority
36 delegated in this section shall become effective only if it
37 complies with and is subject to all of the provisions of
38 chapter 536 and, if applicable, section 536.028. This
39 section and chapter 536 are nonseverable and if any of the
40 powers vested with the general assembly pursuant to chapter
41 536 to review, to delay the effective date or to disapprove
42 and annul a rule are subsequently held unconstitutional,
43 then the grant of rulemaking authority and any rule proposed
44 or adopted after August 28, 2000, shall be invalid and void.

45 3. Every law enforcement agency in the state shall:

46 (1) Submit crime incident reports to the department of
47 public safety on forms or in the format prescribed by the
48 department; and

49 (2) Submit any other crime incident information which
50 may be required by the department of public safety,
51 including information pertaining to the immigration status
52 of any criminal offender, indicating whether the offender is
53 a citizen of the United States, is a lawfully present
54 immigrant, or does not possess the information to show that
55 he or she is a citizen of the United States or a lawfully
56 present immigrant.

57 4. Any law enforcement agency that violates this
58 section after December 31, 2021, may be ineligible to
59 receive state or federal funds which would otherwise be paid
60 to such agency for law enforcement, safety or criminal
61 justice purposes.

44.087. 1. The chief law enforcement executive for
2 any law enforcement agency, or such executive's designee,
3 may request assistance from a law enforcement agency of
4 another jurisdiction, including a jurisdiction outside the
5 state of Missouri but within the United States.

6 2. If a law enforcement officer makes an arrest or
7 apprehension outside such officer's jurisdiction, the
8 offender shall be delivered to the first available law
9 enforcement officer who is commissioned in the jurisdiction
10 in which the arrest was made. The officer making the
11 initial arrest or apprehension shall assist in the
12 preparation of any affidavits filed with the complaint or
13 based on other evidence that there is probable cause to
14 believe that both a crime has been committed and the
15 defendant has committed such crime.

16 3. For the purpose of liability, workers'
17 compensation, and any other employment-related matter, law
18 enforcement officers remain employees of their respective
19 law enforcement agency throughout any request for
20 assistance. Qualified immunity, sovereign immunity,

21 official immunity, and the public duty rule shall apply to
22 the provisions of this section as interpreted by the federal
23 and state courts of the responding agency.

24 4. Nothing in this section shall be construed to limit
25 the actions of law enforcement officers or agencies
26 conducted in accordance with section 44.095 or 44.098, or
27 any other mutual aid agreement made under this chapter.

28 5. The provisions of chapter 544 are applicable to any
29 law enforcement officers from jurisdictions located outside
30 the state of Missouri, but within the United States, who are
31 acting pursuant to a request made under this section.

2 [56.265. 1. The county prosecuting
3 attorney in any county, other than in a
4 chartered county, shall receive an annual salary
5 computed using the following schedule, when
6 applicable. The assessed valuation factor shall
7 be the amount thereof as shown for the year
8 immediately preceding the year for which the
9 computation is done.

10 (1) For a full-time prosecutor the
11 prosecutor shall receive compensation equal to
12 the compensation of an associate circuit judge;

(2) For a part-time prosecutor:

Assessed Valuation	Amount
\$18,000,000 to 40,999,999	\$37,000
41,000,000 to 53,999,999	38,000
54,000,000 to 65,999,999	39,000
66,000,000 to 85,999,999	41,000
86,000,000 to 99,999,999	43,000
100,000,000 to 130,999,999	45,000
131,000,000 to 159,999,999	47,000
160,000,000 to 189,999,999	49,000

22	190,000,000 to 249,999,999	51,000
23	250,000,000 to 299,999,999	53,000
24	300,000,000 or more	55,000]

25 [2. Two thousand dollars of the salary
26 authorized in this section shall be payable to
27 the prosecuting attorney only if the prosecuting
28 attorney has completed at least twenty hours of
29 classroom instruction each calendar year
30 relating to the operations of the prosecuting
31 attorney's office when approved by a
32 professional association of the county
33 prosecuting attorneys of Missouri unless
34 exempted from the training by the professional
35 association. The professional association
36 approving the program shall provide a
37 certificate of completion to each prosecuting
38 attorney who completes the training program and
39 shall send a list of certified prosecuting
40 attorneys to the treasurer of each county.
41 Expenses incurred for attending the training
42 session may be reimbursed to the county
43 prosecuting attorney in the same manner as other
44 expenses as may be appropriated for that purpose.

45 3. As used in this section, the term
46 "prosecuting attorney" includes the circuit
47 attorney of any city not within a county.

48 4. The prosecuting attorney of any county
49 which becomes a county of the first
50 classification during a four-year term of office
51 or a county which passed the proposition
52 authorized by subsection 1 of section 56.363
53 shall not be required to devote full time to
54 such office pursuant to section 56.067 until the
55 beginning of the prosecuting attorney's next
56 term of office or until the proposition
57 otherwise becomes effective.

58 5. The provisions of section 56.066 shall
59 not apply to full-time prosecutors who are
60 compensated pursuant to subdivision (1) of
61 subsection 1 of this section.]

56.265. 1. The county prosecuting attorney in any
 2 county, other than in a chartered county, shall receive an
 3 annual salary computed using the following schedule, when
 4 applicable. The assessed valuation factor shall be the
 5 amount thereof as shown for the year immediately preceding
 6 the year for which the computation is done.

7 (1) For a full-time prosecutor the prosecutor shall
 8 receive compensation equal to the compensation of an
 9 associate circuit judge;

10 (2) For a part-time prosecutor:

Assessed Valuation	Amount
\$18,000,000 to 40,999,999	\$37,000
41,000,000 to 53,999,999	38,000
54,000,000 to 65,999,999	39,000
66,000,000 to 85,999,999	41,000
86,000,000 to 99,999,999	43,000
100,000,000 to 130,999,999	45,000
131,000,000 to 159,999,999	47,000
160,000,000 to 189,999,999	49,000
190,000,000 to 249,999,999	51,000
250,000,000 to 299,999,999	53,000
300,000,000 or more	55,000

23 2. Two thousand dollars of the salary [authorized in
 24 this section] shall be payable to [the] any prosecuting
 25 attorney only if the prosecuting attorney has completed at
 26 least twenty hours of classroom instruction each calendar
 27 year relating to the operations of the prosecuting

28 attorney's office when approved by a professional
29 association of the county prosecuting attorneys of Missouri
30 unless exempted from the training by the professional
31 association. The professional association approving the
32 program shall provide a certificate of completion to each
33 prosecuting attorney who completes the training program and
34 shall send a list of certified prosecuting attorneys to the
35 treasurer of each county or city not within a county.
36 Expenses incurred for attending the training session may be
37 reimbursed to the [county] prosecuting attorney in the same
38 manner as other expenses as may be appropriated for that
39 purpose.

40 3. Each calendar year, five thousand dollars of the
41 salary shall be payable to any prosecuting attorney only if
42 the prosecuting attorney has collected the data described in
43 subsection 2 of section 56.750 in a manner approved by the
44 prosecutors coordinators training council and makes the data
45 described in subsection 2 of section 56.750 readily
46 accessible to the Missouri office of prosecution services.
47 The Missouri office of prosecution services shall provide a
48 certificate of compliance to each prosecuting attorney who
49 complies with this subsection and shall send a list of any
50 certified prosecuting attorney to the respective treasurer
51 of each county or city not within a county.

52 4. For each calendar year, three thousand dollars of
53 the salary shall be payable to any prosecuting attorney only
54 if the prosecuting attorney has provided discovery to
55 criminal defense attorneys who have entered an appearance on
56 behalf of a defendant in a manner approved by the
57 prosecutors coordinators training council. The Missouri
58 office of prosecution services shall provide a certificate
59 of compliance to each prosecuting attorney who complies with
60 this subsection and shall send a list of any certified

61 prosecuting attorney to the respective treasurer of each
62 county or city not within a county.

63 5. As used in this section, the term "prosecuting
64 attorney" includes the circuit attorney of any city not
65 within a county.

66 **[4.]** 6. The prosecuting attorney of any county which
67 becomes a county of the first classification during a four-
68 year term of office or a county which passed the proposition
69 authorized by subsection 1 of section 56.363 shall not be
70 required to devote full time to such office pursuant to
71 section 56.067 until the beginning of the prosecuting
72 attorney's next term of office or until the proposition
73 otherwise becomes effective.

74 **[5.]** 7. The provisions of section 56.066 shall not
75 apply to full-time prosecutors who are compensated pursuant
76 to subdivision (1) of subsection 1 of this section.

56.750. 1. The "Missouri Office of Prosecution
2 Services" is hereby established as an autonomous entity in
3 the Missouri attorney general's office. It shall be the
4 purpose of the Missouri office of prosecution services to
5 assist the prosecuting attorneys throughout the state in
6 their efforts against criminal activity in the state. Such
7 assistance may include:

8 (1) The obtaining, preparing, supplementing, and
9 disseminating of indexes to and digests of the decisions of
10 the supreme court and the court of appeals of Missouri and
11 other courts, and the statutes, and other legal authorities
12 relating to criminal matters, and civil matters concerning
13 the duties of prosecuting attorneys and circuit attorney;

14 (2) The preparation and distribution of model
15 complaints, informations, indictments, instructions, search
16 warrants, interrogation advices, and other common and

17 appropriate documents employed in the administration of
18 criminal justice;

19 (3) The preparation and distribution of a basic
20 prosecutor's manual and other educational materials;

21 (4) The promotion of and assistance in the training of
22 prosecuting attorneys and circuit attorney on a statewide
23 basis;

24 (5) The provision of legal research assistance to
25 prosecuting attorneys and circuit attorney;

26 (6) The development, support and maintenance of
27 automated case management and criminal history reporting
28 systems approved by the prosecutors coordinators training
29 council as the standard utilized by prosecuting attorneys
30 and circuit attorney; [and]

31 (7) The development and approval of the form and
32 uniform manner utilizing the automated case management
33 system in which all referrals required by section 43.503
34 will be submitted by any law enforcement agency to offices
35 of a prosecuting attorney or circuit attorney; and

36 (8) The provision of other assistance to prosecuting
37 attorneys and circuit attorney that is necessary for the
38 successful implementation of sections 56.750 to 56.775,
39 including members of the Missouri office of prosecution
40 services serving as special prosecuting attorneys and
41 special assistant prosecuting attorneys, or that hereinafter
42 may be authorized by law.

43 2. Beginning March 31, 2028, and by March thirty-first
44 of each year thereafter, the Missouri office of prosecution
45 services shall compile a statewide report summarizing from
46 the automated case management system, approved by the
47 prosecutors coordinators training council as provided in
48 subdivision (6) of subsection 1 of this section for all

49 offices of prosecuting or circuit attorneys, for the
50 previous calendar year the following information:
51 (1) The total number of felonies, misdemeanors, and
52 infractions received by all offices of prosecuting and
53 circuit attorneys, including:
54 (a) The number of all referrals received from law
55 enforcement;
56 (b) The number of all cases filed;
57 (c) The number of all cases refused;
58 (d) The number of all cases disposed; and
59 (e) The number of all cases under review on December
60 thirty-first of the calendar year being reported;
61 (2) Any information specific to felonies,
62 misdemeanors, and infractions received by all offices of
63 prosecuting and circuit attorneys, including:
64 (a) The number of referrals received wherein the most
65 serious charge was a felony;
66 (b) The number of referrals received wherein the most
67 serious charge was a misdemeanor;
68 (c) The number of referrals received wherein the most
69 serious charge was an infraction;
70 (d) The number of referrals with all charges refused
71 where in the most serious charge referred was a felony;
72 (e) The number of referrals with all charges refused
73 wherein the most serious charge referred was a misdemeanor;
74 (f) The number of referrals with all charges refused
75 wherein the most serious charge referred was an infraction;
76 (g) The number of cases filed where in the most
77 serious charge was a felony;
78 (h) The number of cases filed wherein the most serious
79 charge was a misdemeanor;
80 (i) The number of cases filed wherein the most serious
81 charge was an infraction;

82 (j) The number of cases disposed wherein the most
83 serious charge was a felony;

84 (k) The number of cases disposed wherein the most
85 serious charge was a misdemeanor; and

86 (l) The number of cases disposed wherein the most
87 serious charge was an infraction;

88 (3) All felonies, misdemeanors, and infractions
89 received by all offices of prosecuting and circuit attorneys
90 by specific statute number and charge code, including:

91 (a) All charges received in referrals by statute
92 number and charge code;

93 (b) All charges filed by statute number and charge
94 code;

95 (c) All charges refused by statute number and charge
96 code;

97 (d) All charges disposed by statute number and charge
98 code; and

99 (e) All charges under review on December thirty-first
100 of the calendar year being reported by statute number and
101 charge code; and

102 (4) Each case in which an informant, as such term is
103 defined by section 491.065, has been endorsed by the state
104 to testify against a defendant's interest including:

105 (a) The substance of the testimony; and

106 (b) Any benefit that has been requested by or has been
107 offered to the informant as defined in section 491.065, and
108 any benefit that may be provided at a future date in
109 connection with such testimony.

110 3. Any information provided under subdivisions (1) to
111 (4) of subsection 2 of this section shall be compiled for
112 each individual office of a prosecuting or circuit
113 attorney. The summary reports shall be considered a public
114 record. The individual data and information compiled by and

115 received from each office of a prosecuting or circuit
116 attorney is confidential and shall be a closed record and
117 not subject to release under section 610.100.

118 4. Any information provided under subdivision (4) of
119 subsection 2 of this section is accessible by the
120 prosecuting or circuit attorney or by any attorney who has
121 entered an appearance on behalf of a party to the case in
122 which the informant is an endorsed witness.

82.1000. 1. In addition to forfeiture proceedings
2 pursuant to sections 513.600 to 513.645, the governing body
3 of any constitutional charter city having a population of
4 more than one hundred thousand inhabitants and located
5 within a county of the first classification that adjoins no
6 other county of the first classification may enact
7 ordinances which would subject to forfeiture any motor
8 vehicle operated by a person with one or more prior
9 convictions for an intoxication-related traffic offense, as
10 defined in section [577.023] 577.001, who is prohibited from
11 obtaining a license to operate a motor vehicle by the
12 director of revenue pursuant to subdivision (9) or (10) of
13 subsection 1 of section 302.060, or who has the person's
14 license to operate a motor vehicle suspended or revoked, as
15 a result of a finding or a plea of guilty to:

16 (1) Any intoxication-related traffic offense as
17 defined in section [577.023] 577.001; [or]

18 (2) Involuntary manslaughter as a result of operating
19 a motor vehicle while in an intoxicated condition as defined
20 in section [565.024] 577.001;

21 (3) Two or more violations of stunt driving or street
22 takeover as provided in section 304.145 committed on
23 separate occasions where in each violation the person was
24 operating a vehicle and another person was injured or
25 killed; or

26 (4) The offense of aggravated fleeing a stop or
27 detention of a motor vehicle as provided in section 575.151.

28 Such forfeiture pursuant to this subsection shall only be
29 allowed if such person operates a motor vehicle while the
30 person's license to operate a motor vehicle is under such a
31 suspension or revocation.

32 2. The ordinance allowing forfeitures pursuant to this
33 section may also provide for the impoundment and forfeiture
34 of a motor vehicle operated by any person who is classified
35 as a prior offender or persistent offender pursuant to
36 section 577.023 after the effective date of such ordinance,
37 except that a judgment of forfeiture may only be rendered if
38 there is a conviction of an intoxication-related traffic
39 offense which causes the owner of the motor vehicle to be
40 classified as a prior or persistent offender.

41 3. The ordinance allowing the forfeitures pursuant to
42 this section may also provide for the impoundment and
43 forfeiture of a motor vehicle operated by any person who has
44 previously been convicted of two or more intoxication-
45 related traffic offenses, as defined in section **[577.023]**
46 577.001, and who thereafter, pursuant to a chemical test
47 conducted in accordance with sections 577.020 to 577.041, is
48 determined upon probable cause to have been driving a motor
49 vehicle with a blood-alcohol concentration equal to or
50 greater than the blood-alcohol percentage concentration
51 specified in subsection 1 of section 302.520, or any such
52 person who, pursuant to section 577.041, has been requested
53 to submit to a chemical test as described pursuant to that
54 section, and refused to submit to such test.

55 4. All forfeiture proceedings pursuant to this section
56 shall be conducted in accordance with sections 513.600 to
57 513.645, except the forfeiture proceeding shall be brought

58 by the city attorney for the city which enacted such
59 ordinances.

60 5. The ordinance shall also provide that any person
61 claiming an ownership interest in the motor vehicle subject
62 to forfeiture shall have all the defenses to the forfeiture
63 proceeding available to them which they may be entitled to
64 raise pursuant to sections 513.600 to 513.645. The
65 ordinance shall further provide that, in the event the title
66 documents registered with the department of revenue for the
67 motor vehicle subject to forfeiture, at the time of the
68 action giving rise to the forfeiture proceeding, list
69 persons as owners or co-owners of the vehicle in addition to
70 or other than the operator, and the nonoperator owner of the
71 motor vehicle has not previously been the operator or the
72 owner of, a motor vehicle which has been the subject of a
73 forfeiture proceeding authorized by this section, the motor
74 vehicle shall be returned to the nonoperator registered
75 owner and all costs associated with the seizure, towing,
76 storage and impoundment of the vehicle, and the payment of
77 all court costs and reasonable attorney fees associated with
78 the forfeiture proceeding shall be paid by the owners or the
79 operator of the vehicle. To be entitled to return of the
80 vehicle all owners shall execute a written agreement with
81 the municipality stipulating and consenting to the seizure
82 and forfeiture of the motor vehicle in the event such motor
83 vehicle is subsequently operated by the same operator under
84 circumstances which would allow the municipality to seek
85 forfeiture of such vehicle pursuant to an ordinance
86 authorized by this section.

84.012. In all cities of this state not within a
2 county, the common council or municipal assembly of such
3 cities may pass ordinances for preserving order; securing
4 property and persons from violence, danger, or destruction;

5 protecting public and private property; and promoting the
6 interests and ensuring the good governance of the cities,
7 but no ordinances heretofore passed, or that may hereafter
8 be passed, by the common council or municipal assembly of
9 the cities shall, in any manner, conflict or interfere with
10 the powers or the exercise of the powers of the boards of
11 police commissioners of the cities as created by section
12 84.020, nor shall the cities or any officer or agent of the
13 corporation of the cities, or the mayor thereof, in any
14 manner impede, obstruct, hinder, or interfere with the
15 boards of police, any officer, agent, or servant thereof or
16 thereunder.

84.020. 1. In all cities [of this state that now
2 have, or may hereafter attain, a population of five hundred
3 thousand inhabitants or over] not within a county, there
4 shall be, and is hereby established, within and for said
5 cities, a board of police commissioners, to consist of four
6 citizen commissioners, as provided in sections 84.040 to
7 84.080, to be the governing body of the permanent police
8 force pursuant to section 84.100, together with the mayor of
9 said cities for the time being, or whosoever may be
10 officially acting in that capacity, and said board shall
11 annually appoint one of its members as president, [and] one
12 member who shall act as vice president [during the absence
13 of the president], and one member who shall act as board
14 secretary; and such president or vice president shall be the
15 executive officer of the board and shall act for it when the
16 board is not in session.

2. The board shall consist of five commissioners, one
18 of whom is the mayor of a city not within a county, one
19 citizen commissioner appointed at the sole discretion of the
20 governor, and three citizen commissioners appointed as
21 provided in subdivision (2) of this subsection. Each

22 citizen commissioner shall be a resident of a city not
23 within a county or shall be an owner of a business that is
24 located within a city not within a county and registered
25 with the secretary of state, and such owner shall be a
26 resident of this state whose primary residence is located
27 within fifty miles of the city limits of a city not within a
28 county. Except for the mayor, no commissioner shall be
29 nominated for or hold any other elective or appointed
30 political office. If any citizen commissioner is nominated
31 for or elected to any elective or appointed political
32 office, such commissioner shall forfeit the appointment and
33 shall immediately vacate his or her office. The mayor of a
34 city not within a county shall automatically be a member of
35 the board, while the remaining inaugural commissioners shall
36 be appointed as follows:

37 (1) One citizen commissioner to be appointed at the
38 sole discretion of the governor; and

39 (2) The remaining three citizen commissioners may be
40 appointed by the governor from three separate panels of
41 candidates submitted to the governor, which shall include
42 one candidate submitted by the mayor of a city not within a
43 county and up to four candidates submitted by the local
44 fraternal organizations representing the rank of police
45 officer within the city not within a county. The number of
46 candidates submitted by the local fraternal organizations
47 shall be based on one selection per two hundred fifty total
48 active members of which they represent from the St. Louis
49 Metropolitan Police Department, not to exceed a total of
50 three selections per local fraternal organization. If the
51 governor elects not to select a candidate from a panel, then
52 the governor may appoint any resident of a city not within a
53 county or any business owner who meets the requirements
54 provided in this subsection. As used in this subdivision,

55 the term "local fraternal organization" means the St. Louis
56 Police Officers' Association and the Ethical Society of
57 Police, or any successor organization thereof.

58 3. Any member of the board may be removed for cause
59 with the approval of a majority of the other board members,
60 but such member shall first be presented with a written
61 statement of the reasons for removal and shall have the
62 opportunity for a hearing by the board to establish cause
63 for removal. The decision for removal of a board member is
64 final. However, the removed member may appeal their removal
65 to the twenty-second judicial circuit court.

66 4. A majority of the board shall constitute a quorum
67 for the transaction of business, but no action shall be
68 taken by the board or deemed valid unless three concurring
69 votes are cast.

70 5. The board shall have the power to summon and compel
71 the attendance of witnesses before the board and to compel
72 the production of documents and other evidence, whenever
73 necessary in the discharge of its duties, and shall have the
74 power to administer oaths or affirmations to any person
75 appearing or called before it.

76 6. The board shall have the following powers and
77 duties:

78 (1) To receive input from the chief of police, in
79 order to formulate and approve policies governing the
80 operation and conduct of the permanent police force pursuant
81 to section 84.100;

82 (2) To appoint as a chief of police any person who
83 shall be responsible to the board for proper execution of
84 the policies, duties, and responsibilities established by
85 the board for the administration of the police department,
86 and to remove the chief pursuant to section 106.273;

87 (3) To hear and determine appeals from the decisions
88 of the chief of police on disciplinary matters arising in
89 the department, pursuant to section 590.502; however, at the
90 time of the effective date of this act and until such time
91 as the board adopts other investigative and disciplinary
92 policies and procedures not inconsistent with section
93 590.502, discipline and investigative procedures for
94 commissioned and civilian employees of the police force
95 shall be regulated by rule 7 of the police manual of the
96 police department in effect as of November 4, 2013; except
97 that, where rule 7 is in conflict with section 590.502, the
98 board shall comply with the requirements of section
99 590.502. Under no circumstances shall the board initially
100 or hereafter adopt investigative and disciplinary procedures
101 that do not include the summary hearing board procedures
102 provided for in rule 7 of the police manual of the police
103 department in effect as of November 4, 2013;

104 (4) To promulgate a manual of rules and regulations
105 for the qualifications and conduct of personnel of the
106 police department and its operation;

107 (5) To have such other powers and duties with respect
108 to police administration and law enforcement as provided by
109 statute;

110 (6) To regulate and license all private watchmen,
111 private detectives, and private police serving or acting in
112 the city and no person shall act as such without first
113 having obtained such license. Penalties for the violation
114 of regulations promulgated by the board under this
115 subsection shall be prescribed by ordinance.

84.030. 1. Beginning on [January 9, 1989, the
2 governor of the state of Missouri, by and with the advice
3 and consent of the senate, shall appoint] August 28, 2025,
4 and no later than September 28, 2025, the four citizen

5 commissioners shall be appointed as provided [for] in
6 section 84.020[,] and shall serve as follows:

7 (1) One citizen commissioner appointed by the governor
8 shall [be appointed] serve for a term of one year; and

9 (2) Of the three remaining citizen commissioners
10 appointed by the governor:

11 (a) One citizen commissioner shall [be appointed]
12 serve for a term of two years;

13 (b) One citizen commissioner shall [be appointed]
14 serve for a term of three years; and

15 (c) One citizen commissioner shall [be appointed]
16 serve for a term of four years.

17 Their successors shall each be appointed for a term of four
18 years, and said commissioners shall hold office for their
19 term of appointment and until their successors shall have
20 been appointed and qualified. [In case of a vacancy in said
21 board for any cause whatsoever, it shall be filled by
22 appointment for the unexpired term, in the same manner as in
23 the case of original appointments. The governor shall issue
24 commissions to the persons so appointed, designating the
25 time for which they are appointed in case the appointment is
26 to fill an unexpired term occasioned by death, resignation
27 or any other cause, and whenever the term of office of any
28 commissioner expires, the appointment of his successor shall
29 be for four years. The commissioners now holding offices
30 under existing laws in any city of this state to which
31 sections 84.010 to 84.340 apply are to hold their offices
32 until the expiration of their terms, and their successors
33 are duly appointed and qualified]

34 2. With the exception of the citizen commissioner
35 appointed at the sole discretion of the governor, whenever a
36 vacancy occurs on the commission, the governor may fill the
37 vacancy for the unexpired term from a panel of candidates

38 determined by the formula established in subdivision (2) of
39 subsection 2 of section 84.020.

84.100. To enable the boards to perform the duties
2 imposed upon them, they are hereby authorized and required
3 to appoint, enroll and employ [a] only one permanent police
4 force for the cities which they shall equip and arm as they
5 may judge necessary. [Except as provided below,] The number
6 of patrolmen to be appointed shall [not be more than one
7 thousand six hundred eighty-three of which number not more
8 than two hundred fifty are to be probationary patrolmen.
9 Any increase in the number of patrolmen authorized, in
10 addition to that provided for above, shall be permitted upon
11 recommendation] be determined by the board of police
12 commissioners[, with the approval of the municipal board of
13 estimate and apportionment. The number of turnkeys to be
14 appointed shall be sixty-five, except that for each
15 patrolman hereafter promoted, demoted, removed, resigned or
16 otherwise separated from the force, an additional turnkey
17 may be appointed, but under no circumstances shall more than
18 one hundred fifty turnkeys be appointed. As each additional
19 turnkey is appointed, the maximum number of patrolmen to be
20 appointed shall be reduced accordingly so that when one
21 hundred fifty turnkeys have been appointed, the number of
22 patrolmen to be appointed shall not be more than one
23 thousand five hundred ninety-eight]. The board may continue
24 to employ as many noncommissioned police civilians, which
25 shall include city marshals and park rangers, as it deems
26 necessary in order to perform the duties imposed upon it.

84.150. The total number of officers and the number of
2 officers at each rank of the police force in each such city
3 shall be [as follows: one chief of police with the rank of
4 colonel; lieutenant colonels, not to exceed five in number
5 and other such ranks and number of members within such ranks

6 as the board from time to time deems necessary] determined
7 by the board of police commissioners. The officers of the
8 police force shall have commissions issued to them by the
9 boards of police commissioners, and those heretofore and
10 those hereafter commissioned shall serve so long as they
11 shall faithfully perform their duties and possess the
12 necessary mental and physical ability, and be subject to
13 removal only for cause after a hearing by the board, who are
14 hereby invested with exclusive jurisdiction in the premises.

84.160. 1. As of August 28, [2006] 2025, the board of
2 police commissioners shall have the authority to compute and
3 establish the annual salary of each member of the police
4 force without receiving prior authorization from the general
5 assembly, which shall not be less than the annual salary
6 paid to any member at the time of the enactment of this act.

7 2. Each officer of police and patrolman whose regular
8 assignment requires nonuniformed attire may receive, in
9 addition to his or her salary, an allowance not to exceed
10 three hundred sixty dollars per annum payable biweekly.
11 Notwithstanding the provisions of subsection 1 of this
12 section to the contrary, no additional compensation or
13 compensatory time off for overtime, court time, or standby
14 court time shall be paid or allowed to any officer of the
15 rank of [sergeant] lieutenant or above. Notwithstanding any
16 other provision of law to the contrary, nothing in this
17 section shall prohibit the payment of additional
18 compensation pursuant to this subsection to officers of the
19 ranks of sergeants and above, provided that funding for such
20 compensation shall not:

21 (1) Be paid from the general funds of either the city
22 or the board of police commissioners of the city; or

23 (2) Be violative of any federal law or other state law.

24 3. It is the duty of the municipal assembly or common
25 council of the cities to make the necessary appropriation
26 for the expenses of the maintenance of the police force
27 governed by the board of police commissioners, in the manner
28 [herein and hereafter] provided for in section 84.210; [
29 provided, that in no event shall such municipal assembly or
30 common council be required to appropriate for such purposes
31 (including, but not limited to, costs of funding pensions or
32 retirement plans) for any fiscal year a sum in excess of any
33 limitation imposed by] except, pursuant to subsection 2 of
34 article X[,] of section 21[,] of the Missouri Constitution[;
35 and provided further, that], such municipal assembly or
36 common council [may] shall appropriate a minimum sum [in
37 excess of such limitation for any fiscal year by an
38 appropriations ordinance enacted in conformity with the
39 provisions of the charter of such cities] equal to twenty-
40 five percent of the city's general revenue to fund the
41 police force governed by the board of police commissioners.
42 Any pension and retirement costs shall be excluded from the
43 calculation of expenses for the maintenance of the police
44 force for the purposes of the minimum funding requirements
45 provided in this subsection.

46 4. Notwithstanding the provisions of subsection 1 of
47 this section to the contrary, the board of police
48 commissioners shall pay additional compensation for all
49 hours of service rendered by probationary patrolmen [and],
50 patrolmen, and sergeants in excess of the established
51 regular working period, and the rate of compensation shall
52 be one and one-half times the regular hourly rate of pay to
53 which each member shall normally be entitled; except that,
54 the court time and court standby time shall be paid at the
55 regular hourly rate of pay to which each member shall
56 normally be entitled. No credit shall be given or

57 deductions made from payments for overtime for the purpose
58 of retirement benefits.

59 5. Notwithstanding the provisions of subsection 1 of
60 this section to the contrary, probationary patrolmen **[and]**,
61 patrolmen, and sergeants shall receive additional
62 compensation for authorized overtime, court time and court
63 standby time whenever the total accumulated time exceeds
64 forty hours. The accumulated forty hours shall be taken as
65 compensatory time off at the officer's discretion with the
66 approval of his supervisor.

67 6. The allowance of compensation or compensatory time
68 off for court standby time shall be computed at the rate of
69 one-third of one hour for each hour spent on court standby
70 time.

71 7. The board of police commissioners **[may]** shall
72 effect programs to provide additional compensation to its
73 employees for successful completion of academic work at an
74 accredited college or university, in amounts not to exceed
75 ten percent of their yearly salaries or for field training
76 officer and lead officer responsibilities in amounts not to
77 exceed three percent of their yearly salaries for field
78 training officer responsibilities and an additional three
79 percent of their yearly salaries for lead officer
80 responsibilities. The board may designate up to one hundred
81 fifty employees as field training officers and up to fifty
82 employees as lead officers.

83 8. The board of police commissioners:

84 (1) Shall provide or contract for life insurance
85 coverage and for insurance benefits providing health,
86 medical and disability coverage for officers and employees
87 of the department;

88 (2) Shall provide or contract for insurance coverage
89 providing salary continuation coverage for officers and
90 employees of the police department;

91 (3) Shall provide health, medical, and life insurance
92 coverage for retired officers and employees of the police
93 department. Health, medical and life insurance coverage
94 shall be made available for purchase to the spouses or
95 dependents of deceased retired officers and employees of the
96 police department who receive pension benefits pursuant to
97 sections 86.200 to 86.364 at the rate that such dependent's
98 or spouse's coverage would cost under the appropriate plan
99 if the deceased were living;

100 (4) May pay an additional shift differential
101 compensation to members of the police force for evening and
102 night tour of duty in an amount not to exceed ten percent of
103 the officer's base hourly rate.

104 9. Notwithstanding the provisions of subsection 1 of
105 this section to the contrary, the board of police
106 commissioners shall pay additional compensation to members
107 of the police force up to and including the rank of police
108 officer for any full hour worked between the hours of 11:00
109 p.m. and 7:00 a.m., in amounts equal to **[five]** ten percent
110 of the officer's base hourly pay.

111 10. The board of police commissioners, from time to
112 time and in its discretion, may pay additional compensation
113 to police officers, sergeants and lieutenants by paying
114 commissioned officers in the aforesaid ranks for
115 accumulated, unused vacation time. Any such payments shall
116 be made in increments of not less than forty hours, and at
117 rates equivalent to the base straight-time rates being
118 earned by said officers at the time of payment; except that,
119 no such officer shall be required to accept payment for
120 accumulated unused vacation time.

84.170. 1. When any vacancy shall take place in any
2 grade of officers, it shall be filled from the next lowest
3 grade; provided, however, that probationary patrolmen shall
4 serve at least six months as such before being promoted to
5 the rank of patrolman; patrolmen shall serve at least three
6 years as such before being promoted to the rank of sergeant;
7 sergeants shall serve at least one year as such before being
8 promoted to the rank of lieutenant; lieutenants shall serve
9 at least one year as such before being promoted to the rank
10 of captain; and in no case shall the chief or assistant
11 chief be selected from men not members of the force or below
12 the grade of captain. Patrolmen shall serve at least three
13 years as such before promotion to the rank of detective; the
14 inspector shall be taken from men in the rank not below the
15 grade of lieutenant.

2. The boards of police are hereby authorized to make
17 all such rules and regulations, not inconsistent with
18 sections 84.010 to 84.340, or other laws of the state, as
19 they may judge necessary, for the appointment, employment,
20 uniforming, discipline, trial and government of the police.
21 At the time of the effective date of this act and until such
22 time as the board adopts other investigative and
23 disciplinary policies and procedures not inconsistent with
24 section 590.502, discipline and investigative procedures for
25 commissioned and civilian employees of the police force
26 shall be regulated by rule 7 of the police manual of the
27 police department in effect as of November 4, 2013; except
28 that, where rule 7 is in conflict with section 590.502, the
29 board shall comply with the requirements of section
30 590.502. Under no circumstances shall the board initially
31 or hereafter adopt investigative and disciplinary procedures
32 that do not include the summary hearing board procedures
33 provided for in rule 7 of the police manual of the police

34 department in effect as of November 4, 2013. The said
35 boards shall also have power to require of any officer or
36 policeman bond with sureties when they may consider it
37 demanded by the public interests. All lawful rules and
38 regulations of the board shall be obeyed by the police force
39 on pain of dismissal or such lighter punishment, either by
40 suspension, fine, reduction or forfeiture of pay, or
41 otherwise as the boards may adjudge.

42 3. The authority possessed by the board of police
43 includes, but is not limited to, the authority to delegate
44 portions of its powers authorized in section 84.120,
45 including presiding over a disciplinary hearing, to a
46 hearing officer as determined by the board.

84.225. Any officer or servant of the mayor or common
2 council or municipal assembly of the cities, or other
3 persons whatsoever, who forcibly resists or obstructs the
4 execution or enforcement of any of the provisions of
5 sections 84.012 to 84.340 or relating to the same, or who
6 disburses or fails to disburse any money in violation
7 thereof, or who hinders or obstructs the organization or
8 maintenance of the board of police or the police force
9 therein provided to be organized and maintained, or who
10 maintains or controls any police force other than the one
11 therein provided for, or who delays or hinders the due
12 enforcement of sections 84.012 to 84.340 by failing or
13 neglecting to perform the duties by such sections imposed
14 upon him or her, shall be subject to a penalty of one
15 thousand dollars for each offense, recoverable by the boards
16 by action at law in the name of the state, and shall forever
17 thereafter be disqualified from holding or exercising any
18 office or employment whatsoever under the mayor or common
19 council or municipal assembly of such cities, or under
20 sections 84.012 to 84.340; provided that, nothing in this

21 section shall be construed to interfere with the punishment,
22 under any existing or any future laws of this state, of any
23 criminal offense that is committed by the parties in or
24 about the resistance, obstruction, hindrance, conspiracy,
25 combination, or disbursement aforesaid.

2 84.325. 1. A transition director shall be appointed
3 by the governor to ensure oversight of an orderly transition
4 of the control of any municipal police force from any city
5 not within a county to the board of police commissioners.
6 The implementation period shall begin on August 28, 2025,
7 and end no later than July 1, 2026. The board of police
8 commissioners shall assume control of any municipal police
9 force established within any city not within a county during
10 the implementation period, according to the procedures and
11 requirements of this section and any rules promulgated under
12 subsection 6 of this section and as determined in
13 coordination with the transition director, local officials,
14 and the board of police commissioners. The purpose of these
15 procedures and requirements is to ensure the continuity of
16 operations of the municipal police force with minimized
17 disruptions to the residents of any city not within a
18 county, to provide for an orderly and appropriate transition
19 in the governance of the police force, and to provide for an
20 equitable employment transition for commissioned and
21 civilian personnel.

22 2. Upon the assumption of control by the board of
23 police commissioners under subsection 1 of this section, any
24 municipal police department within any city not within a
25 county shall convey, assign, and otherwise transfer to the
26 board title and ownership of all indebtedness and assets,
27 including, but not limited to, all funds and real and
personal property held in the name of or controlled by the

28 municipal police department. Such city shall thereafter
29 cease the operation of any police department or police force.

30 3. Upon the assumption of control by the board of
31 police commissioners under subsection 1 of this section, the
32 state shall accept responsibility, ownership, and liability
33 as successor-in-interest for contractual obligations and
34 other lawful obligations of the municipal police department.

35 4. The board of police commissioners shall initially
36 employ, without a reduction in rank, salary, or benefits,
37 all commissioned and civilian personnel of the municipal
38 police department who were employed by the municipal police
39 department immediately prior to the date the board assumed
40 control. The board shall recognize all accrued years of
41 service that such commissioned and civilian personnel had
42 with the municipal police department, as well as all accrued
43 years of service that such commissioned and civilian
44 personnel had previously with the board of police
45 commissioners. Such personnel shall be entitled to the same
46 holidays, vacation, sick leave, sick bonus time, and annual
47 step-increases they were entitled to as employees of the
48 municipal police department.

49 5. The commissioned and civilian personnel who retire
50 from service with the municipal police department before the
51 board of police commissioners assumed control of the
52 department under subsection 1 of this section shall continue
53 to be entitled to the same pension benefits provided as
54 employees of the municipal police department and the same
55 benefits set forth in subsection 4 of this section. Any
56 police pension system created under chapter 86 for the
57 benefit of a police force established under sections 84.012
58 to 84.340 shall continue to be governed by chapter 86 and
59 shall apply to any comprehensive policing plan and any
60 police force established under sections 84.012 to 84.340.

61 Other than any provision that makes chapter 86 applicable to
62 a municipal police force established under sections 84.343
63 to 84.346, nothing in sections 84.012 to 84.340 shall be
64 construed as limiting or changing the rights or benefits
65 provided under chapter 86.

66 6. The board of police commissioners may promulgate
67 all necessary rules and regulations for the implementation
68 and administration of this section. Any rule or portion of
69 a rule, as that term is defined in section 536.010, that is
70 created under the authority delegated in this section shall
71 become effective only if it complies with and is subject to
72 all of the provisions of chapter 536 and, if applicable,
73 section 536.028. This section and chapter 536 are
74 nonseverable and if any of the powers vested with the
75 general assembly pursuant to chapter 536 to review, to delay
76 the effective date, or to disapprove and annul a rule are
77 subsequently held unconstitutional, then the grant of
78 rulemaking authority and any rule proposed or adopted after
79 the effective date of this section shall be invalid and void.

105.726. 1. Nothing in sections 105.711 to 105.726
2 shall be construed to broaden the liability of the state of
3 Missouri beyond the provisions of sections 537.600 to
4 537.610, nor to abolish or waive any defense at law which
5 might otherwise be available to any agency, officer, or
6 employee of the state of Missouri. Sections 105.711 to
7 105.726 do not waive the sovereign immunity of the state of
8 Missouri.

9 2. The creation of the state legal expense fund and
10 the payment therefrom of such amounts as may be necessary
11 for the benefit of any person covered thereby are deemed
12 necessary and proper public purposes for which funds of this
13 state may be expended.

14 3. Moneys in the state legal expense fund shall not be
15 available for the payment of any claim or any amount
16 required by any final judgment rendered by a court of
17 competent jurisdiction against a board of police
18 commissioners established under chapter 84, including the
19 commissioners, any police officer, notwithstanding sections
20 84.330 and 84.710, or other provisions of law, other
21 employees, agents, representative, or any other individual
22 or entity acting or purporting to act on its or their
23 behalf. Such was the intent of the general assembly in the
24 original enactment of sections 105.711 to 105.726, and it is
25 made express by this section in light of the decision in
26 Wayman Smith, III, et al. v. State of Missouri, 152 S.W.3d
27 275. Except that the commissioner of administration shall
28 reimburse from the legal expense fund the board of police
29 commissioners established under [section 84.350, and any
30 successor-in-interest established pursuant to section
31 84.344,] chapter 84 for liability claims otherwise eligible
32 for payment under section 105.711 paid by such [board]
33 boards on an equal share basis per claim up to a maximum of
34 one million dollars per fiscal year.

35 4. [Subject to the provisions of subsection 2 of
36 section 84.345,] If the representation of the attorney
37 general is requested by a board of police commissioners [or
38 its successor-in-interest established pursuant to section
39 84.344], the attorney general shall represent, investigate,
40 defend, negotiate, or compromise all claims under sections
41 105.711 to 105.726 for the board of police commissioners,
42 [its successor-in-interest pursuant to section 84.344,] any
43 police officer, other employees, agents, representatives, or
44 any other individual or entity acting or purporting to act
45 on their behalf. The attorney general may establish
46 procedures by rules promulgated under chapter 536 under

47 which claims must be referred for the attorney general's
48 representation. The attorney general and the officials of
49 the city which the police board represents [or represented]
50 shall meet and negotiate reasonable expenses or charges that
51 will fairly compensate the attorney general and the office
52 of administration for the cost of the representation of the
53 claims under this section.

54 5. Claims tendered to the attorney general promptly
55 after the claim was asserted as required by section 105.716
56 and prior to August 28, 2005, may be investigated, defended,
57 negotiated, or compromised by the attorney general and full
58 payments may be made from the state legal expense fund on
59 behalf of the entities and individuals described in this
60 section as a result of the holding in Wayman Smith, III, et
61 al. v. State of Missouri, 152 S.W.3d 275.

191.1005. 1. No individual or entity shall knowingly
2 open, lease, rent, own, use, maintain, manage, operate, or
3 control a public or private facility, site, or building for
4 the purpose, in part or in whole, of allowing individuals to
5 self-administer preobtained controlled substances, the
6 possession of which by the individual is punishable under
7 section 579.015 and is not otherwise authorized by chapters
8 195 and 579.

9 2. This section shall not apply to any health care
10 facility licensed pursuant to chapter 197 or 198 that:

11 (a) Provides medical assistance or monitoring to
12 individuals who have self-administered controlled substances;

13 (b) Provides sterile injection supplies;

14 (c) Collects used hypodermic needles and syringes; or

15 (d) Provides secure hypodermic needle and syringe
16 disposal services.

17 3. This section shall not affect the immunity from
18 liability provided by section 195.205 for any individual

19 who, in good faith, seeks or obtains medical assistance for
20 someone who is experiencing an overdose of a controlled
21 substance or for any individual experiencing an overdose of
22 a controlled substance who seeks medical assistance for
23 himself or herself or is the subject of a good faith request
24 for medical assistance for an overdose of a controlled
25 substance.

26 4. As used in this section, the term "controlled
27 substance" means a drug, substance, or immediate precursor
28 in Schedules I through V listed in chapter 195.

217.451. No correctional center or other party shall
2 charge an offender in a correctional center a total amount
3 for a domestic phone call, including fees and any per-minute
4 rate, that exceeds the equivalent of twelve cents per minute.

221.108. No jail or other party shall charge an inmate
2 in a jail a total amount for a domestic phone call,
3 including fees and any per-minute rate, that exceeds the
4 equivalent of:

5 (1) Fourteen cents per minute for any jail with an
6 average daily population of one thousand or more inmates; or

7 (2) Twenty-one cents per minute for any jail with an
8 average daily population of fewer than one thousand inmates.

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

3 (1) "Extraordinary circumstance", a substantial flight
4 risk or some other extraordinary medical or security
5 circumstance that dictates restraints be used to ensure the
6 safety and security of a pregnant offender in her third
7 trimester or a postpartum offender within forty-eight hours
8 postdelivery, the staff of the county or city jail or
9 medical facility, other offenders, or the public;

10 (2) "Labor", the period of time before a birth during
11 which contractions are present;

12 (3) "Postpartum", the period of recovery immediately
13 following childbirth, which is six weeks for a vaginal birth
14 or eight weeks for a cesarean birth, or longer if so
15 determined by a physician or nurse;

16 (4) "Restraints", any device used to control the
17 movement of a person's body or limbs.

18 2. Except in extraordinary circumstances, a county or
19 city jail shall not use restraints on a pregnant offender in
20 her third trimester, whether during transportation to and
21 from visits to health care providers and court proceedings,
22 during medical appointments and examinations, or during
23 labor, delivery, or forty-eight hours postdelivery.

24 3. Pregnant offenders shall be transported in vehicles
25 equipped with seatbelts.

26 4. In the event a sheriff or jailer determines that
27 extraordinary circumstances exist and restraints are
28 necessary, the sheriff or jailer shall fully document in
29 writing within forty-eight hours of the incident the reasons
30 he or she determined such extraordinary circumstances
31 existed, the type of restraints used, and the reasons those
32 restraints were considered reasonable under the
33 circumstances. Such documents shall be kept on file by the
34 county or city jail for at least five years from the date
35 the restraints were used.

36 5. Any time restraints are used on a pregnant offender
37 in her third trimester or on a postpartum offender within
38 forty-eight hours postdelivery, the restraints shall be
39 reasonable under the circumstances. Except in extraordinary
40 circumstances, no leg, ankle, or waist restraints or any
41 mechanical restraints shall be used on any such offender,
42 and, if wrist restraints are used, such restraints shall be
43 placed in the front of such offender's body to protect the
44 offender and the unborn child in the case of a forward fall.

45 6. The county or city jail shall:

46 (1) Ensure that employees of the jail are provided
47 with training, which may include online training, on the
48 provisions of this section; and

49 (2) Inform female offenders, in writing and orally, of
50 any policies and practices developed in accordance with this
51 section upon admission to the jail, and post the policies
52 and practices in locations in the jail where such notices
53 are commonly posted and will be seen by female offenders.

221.523. 1. By January 1, 2026, all county and city
2 jails shall develop specific procedures for the intake and
3 care of offenders who are pregnant, which shall include
4 procedures regarding:

5 (1) Maternal health evaluations;

6 (2) Dietary supplements, including prenatal vitamins;

7 (3) Timely and regular nutritious meals, consistent
8 with the Nutrition During Pregnancy Guidelines prepared by
9 the American College of Obstetricians and Gynecologists;

10 (4) Substance abuse treatment;

11 (5) Treatment for the human immunodeficiency virus and
12 ways to avoid human immunodeficiency virus transmission;

13 (6) Hepatitis C;

14 (7) Sleeping arrangements for such pregnant offenders
15 in the third trimester, including requiring such offenders
16 to sleep on the bottom bunk bed;

17 (8) Access to mental health professionals;

18 (9) Sanitary materials; and

19 (10) Postpartum recovery, including that, except in
20 extraordinary circumstances, no such offender shall be
21 placed in isolation during such recovery.

22 2. As used in this section, the term "postpartum
23 recovery" means, as determined by a physician, the period
24 immediately following delivery, including the entire period

25 an offender who was pregnant is in the hospital or infirmary
26 after delivery.

304.012. 1. Every person operating a motor vehicle on
2 the roads and highways of this state shall drive the vehicle
3 in a careful and prudent manner and at a rate of speed so as
4 not to endanger the property of another or the life or limb
5 of any person and shall exercise the highest degree of care.

6 2. No person operating a motor vehicle on the roads
7 and highways of this state shall perform stunt driving, as
8 such term is defined in section 304.145.

9 3. Any person who violates the provisions of this
10 section is guilty of a class B misdemeanor, unless an
11 accident is involved then it shall be a class A misdemeanor.

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

3 (1) "Aggravated offender", a person who has been found
4 guilty of:

5 (a) Three or more violations of this section committed
6 on separate occasions; or

7 (b) Two or more violations of this section committed
8 on separate occasions where at least one of the violations
9 the defendant was operating a vehicle and another person was
10 injured or killed;

11 (2) "Burnout", a maneuver performed while operating a
12 motor vehicle whereby the wheels of the motor vehicle are
13 spun, resulting in friction causing the motor vehicle's
14 tires to heat up and emit smoke;

15 (3) "Chronic offender", a person who has been found
16 guilty of:

17 (a) Four or more violations of this section committed
18 on separate occasions; or

19 (b) Three or more violations of this section committed
20 on separate occasions where at least one of the violations

21 the defendant was operating a vehicle and another person was
22 injured or killed; or

23 (c) Two or more violations of this section committed
24 on separate occasions where both of the violations the
25 defendant was operating a vehicle and another person was
26 injured or killed;

27 (4) "Donut", a motor vehicle maneuver in which the
28 front or rear of the motor vehicle is rotated around the
29 opposite set of wheels in a motion that may cause a curved
30 skid-mark pattern of rubber on the driving surface, or the
31 tires to heat up and emit smoke, or both;

32 (5) "Drag race", the operation of two or more motor
33 vehicles from a point side by side in a competitive attempt
34 to outgain or outdistance each other, or the operation of
35 one or more motor vehicles over a common selected course,
36 for the purpose of comparing the relative speeds, power, or
37 acceleration of such motor vehicles within a certain
38 distance or time limit;

39 (6) "Drifting", a motor vehicle maneuver in which the
40 motor vehicle is steered so that it makes a controlled skid
41 sideways through a turn with the front wheels oriented in a
42 direction opposite the turn;

43 (7) "Habitual offender", a person who has been found
44 guilty of:

45 (a) Five or more violations of this section committed
46 on separate occasions;

47 (b) Four or more violations of this section committed
48 on separate occasions where at least one of the violations
49 the defendant was operating a vehicle and another person was
50 injured or killed; or

51 (c) Three or more violations of this section committed
52 on separate occasions where at least two of the violations

53 the defendant was operating a vehicle and another person was
54 injured or killed;

55 (8) "Highway", any public thoroughfare for vehicles,
56 including state roads, county roads and public streets,
57 avenues, boulevards, parkways, or alleys in any municipality;

58 (9) "Persistent offender", a person who has been found
59 guilty of:

60 (a) Two or more violations of this section committed
61 on separate occasions; or

62 (b) One violation of this section where the defendant
63 was operating a vehicle and another person was injured or
64 killed;

65 (10) "Prior offender", a person who has been found
66 guilty of a violation of this section where such prior
67 offense occurred within five years of the violation for
68 which the person is charged;

69 (11) "Race", the operation of one or more motor
70 vehicles arising from a challenge to demonstrate superiority
71 of a motor vehicle or driver, and the acceptance of or
72 competitive response to that challenge, either through a
73 prior arrangement or in immediate response, in which the
74 competitor attempts to outgain or outdistance another motor
75 vehicle, to prevent another motor vehicle from passing, to
76 arrive at a given destination ahead of another motor
77 vehicle, to test the physical stamina or endurance of
78 drivers, to exhibit speed or acceleration, or to set a speed
79 or acceleration record;

80 (12) "Street takeover", the act of disrupting the
81 regular flow of traffic for the purpose of performing,
82 facilitating, or spectating stunt driving;

83 (13) "Stunt driving", to operate a motor vehicle
84 performing a race, a drag race, a burnout, a donut, a
85 wheelie, or drifting;

86 (14) "Wheelie", a motor vehicle maneuver whereby a
87 vehicle is ridden for a distance with the front or rear
88 wheel or wheels raised off the ground.

89 2. Except as otherwise permitted by law, no person
90 shall:

91 (1) Perform stunt driving in connection with a street
92 takeover; or

93 (2) Perform or participate in a street takeover.

94 3. Violation of this section shall be a class A
95 misdemeanor for a first offense, a class E felony for a
96 second offense, and a class D felony for a third or
97 subsequent offense.

98 4. No defendant alleged and proven to be a prior
99 offender, persistent offender, aggravated offender, chronic
100 offender, or habitual offender shall be granted a suspended
101 imposition of sentence or be sentenced to pay a fine in lieu
102 of imprisonment.

103 5. No defendant alleged and proven to be a prior
104 offender shall be granted probation or parole until he or
105 she has served a minimum of ten days of imprisonment, unless
106 as a condition of such probation or parole the person
107 performs at least thirty days of community service under the
108 supervision of the court in a jurisdiction that has a
109 recognized program for community service.

110 6. No defendant alleged and proven to be an aggravated
111 offender shall be eligible for probation or parole until he
112 or she has served a minimum of thirty days of imprisonment.

113 7. No defendant alleged and proven to be a chronic or
114 habitual offender shall be eligible for probation or parole
115 until he or she has served a minimum of one year of
116 imprisonment.

117 8. Prior pleas of guilty and prior findings of guilty
118 shall be pleaded and proven in the same manner as required
119 by section 558.021.

120 9. This section shall not apply to events sanctioned
121 by a political subdivision or private entity with
122 responsibility for maintenance and control of the portion of
123 highway or private property on which the motor vehicle
124 operation occurs.

455.095. 1. For purposes of this section, the
2 following terms mean:

3 (1) "Electronic monitoring with victim notification",
4 an electronic monitoring system that has the capability to
5 track and monitor the movement of a person and immediately
6 transmit the monitored person's location to the protected
7 person and the local law enforcement agency with
8 jurisdiction over the protected premises through an
9 appropriate means, including the telephone, an electronic
10 beeper, or paging device whenever the monitored person
11 enters the protected premises as specified in the order by
12 the court;

13 (2) "Informed consent", the protected person is given
14 the following information before consenting to participate
15 in electronic monitoring with victim notification:

16 (a) The protected person's right to refuse to
17 participate in such monitoring and the process for
18 requesting the court to terminate his or her participation
19 after it has been ordered;

20 (b) The manner in which the electronic monitoring
21 technology functions and the risks and limitations of that
22 technology;

23 (c) The boundaries imposed on the person being
24 monitored during the electronic monitoring;

25 (d) The sanctions that the court may impose for
26 violations of the order issued by the court;

27 (e) The procedure that the protected person is to
28 follow if the monitored person violates an order or if the
29 electronic monitoring equipment fails;

30 (f) Identification of support services available to
31 assist the protected person in developing a safety plan to
32 use if the monitored person violates an order or if the
33 electronic monitoring equipment fails;

34 (g) Identification of community services available to
35 assist the protected person in obtaining shelter,
36 counseling, education, child care, legal representation, and
37 other help in addressing the consequences and effects of
38 domestic violence; and

39 (h) The nonconfidential nature of the protected
40 person's communications with the court concerning electronic
41 monitoring and the restrictions to be imposed upon the
42 monitored person's movements.

43 2. When a person is found guilty of violating the
44 terms and conditions of an ex parte or full order of
45 protection under section 455.085 or 455.538, the court may,
46 in addition to or in lieu of any other disposition:

47 (1) Sentence the person to electronic monitoring with
48 victim notification; or

49 (2) Place the person on probation and, as a condition
50 of such probation, order electronic monitoring with victim
51 notification.

52 3. When a person charged with violating the terms and
53 conditions of an ex parte or full order of protection under
54 section 455.085 or 455.538 is released from custody before
55 trial pursuant to section 544.455, the court may, as a
56 condition of release, order electronic monitoring of the
57 person with victim notification.

58 4. Electronic monitoring with victim notification
59 shall be ordered only with the protected person's informed
60 consent. In determining whether to place a person on
61 electronic monitoring with victim notification, the court
62 may hold a hearing to consider the likelihood that the
63 person's participation in electronic monitoring will deter
64 the person from injuring the protected person. The court
65 shall consider the following factors:

- 66 (1) The gravity and seriousness of harm that the
67 person inflicted on the protected person in the commission
68 of any act of domestic violence;
- 69 (2) The person's previous history of domestic violence;
- 70 (3) The person's history of other criminal acts, if
71 any;
- 72 (4) Whether the person has access to a weapon;
- 73 (5) Whether the person has threatened suicide or
74 homicide;
- 75 (6) Whether the person has a history of mental illness
76 or has been civilly committed; and
- 77 (7) Whether the person has a history of alcohol or
78 substance abuse.

79 5. Unless the person is determined to be indigent by
80 the court, a person ordered to be placed on electronic
81 monitoring with victim notification shall be ordered to pay
82 the related costs and expenses. If the court determines the
83 person is indigent, the person may be placed on electronic
84 monitoring with victim notification, and the clerk of the
85 court in which the case was determined shall notify the
86 department of corrections that the person was determined to
87 be indigent and shall include in a bill to the department
88 the costs associated with the monitoring. The department
89 shall establish by rule a procedure to determine the portion
90 of costs each indigent person is able to pay based on a

91 person's income, number of dependents, and other factors as
92 determined by the department and shall seek reimbursement of
93 such costs.

94 6. An alert from an electronic monitoring device shall
95 be probable cause to arrest the monitored person for a
96 violation of an ex parte or full order of protection.

97 7. The department of corrections, department of public
98 safety, Missouri state highway patrol, the circuit courts,
99 and county and municipal law enforcement agencies shall
100 share information obtained via electronic monitoring
101 conducted pursuant to this section.

102 8. No supplier of a product, system, or service used
103 for electronic monitoring with victim notification shall be
104 liable, directly or indirectly, for damages arising from any
105 injury or death associated with the use of the product,
106 system, or service unless, and only to the extent that, such
107 action is based on a claim that the injury or death was
108 proximately caused by a manufacturing defect in the product
109 or system.

110 9. Nothing in this section shall be construed as
111 limiting a court's ability to place a person on electronic
112 monitoring without victim notification under section 544.455
113 or 557.011.

114 10. A person shall be found guilty of the offense of
115 tampering with electronic monitoring equipment under section
116 575.205 if he or she commits the actions prohibited under
117 such section with any equipment that a court orders the
118 person to wear under this section.

119 11. The department of corrections shall promulgate
120 rules and regulations for the implementation of subsection 5
121 of this section. Any rule or portion of a rule, as that
122 term is defined in section 536.010, that is created under
123 the authority delegated in this section shall become

124 effective only if it complies with and is subject to all of
125 the provisions of chapter 536 and, if applicable, section
126 536.028. This section and chapter 536 are nonseverable and
127 if any of the powers vested with the general assembly
128 pursuant to chapter 536 to review, to delay the effective
129 date, or to disapprove and annul a rule are subsequently
130 held unconstitutional, then the grant of rulemaking
131 authority and any rule proposed or adopted after August 28,
132 2018, shall be invalid and void.

133 [12. The provisions of this section shall expire on
134 August 28, 2024.]

491.065. 1. As used in this section, unless the
2 context otherwise requires, the following terms mean:

3 (1) "Benefit", any plea bargain, bail consideration,
4 reduction or modification of sentence, or any other
5 leniency, immunity, financial payment, reward, or
6 amelioration of current or future conditions of
7 incarceration that has been requested or that has been or
8 may, at a future date, be offered or provided in connection
9 with or in exchange for the testimony of an informant who
10 was endorsed by the state;

11 (2) "Informant", a witness who provides testimony that
12 offers allegedly self-incriminating statements or activities
13 of another person who is under investigation or being
14 charged with an offense, and the witness:

15 (a) Is or was incarcerated with the suspect or
16 defendant;

17 (b) Is being detained by or in the custody of law
18 enforcement; or

19 (c) Provides testimony in exchange for any benefit.

20 The term "informant" shall not refer to or include a
21 codefendant or victim involved in the case.

22 2. Beginning January 1, 2026, and thereafter, each
23 prosecuting or circuit attorney shall send the information
24 described under subdivision (4) of subsection 2 of section
25 56.750 to the Missouri office of prosecution services to be
26 included in the summary report as defined in subsection 2 of
27 section 56.750.

28 3. If a prosecuting or circuit attorney endorses a
29 witness to testify as an informant, the following material
30 and information shall be disclosed to all attorneys of
31 record within fourteen days of the endorsement by the
32 prosecuting or circuit attorney:

33 (1) The complete criminal history of the informant,
34 including any charges that are pending or were reduced,
35 amended, or dismissed as part of a plea bargain;

36 (2) The informant cooperation agreement and a copy of
37 any deal, promise, inducement, or benefit that has been
38 requested or that has been or may, at a future date, be
39 offered or provided to the informant in connection with
40 testimony against the defendant's interest;

41 (3) The substance, time, and place of any statement
42 allegedly given by the defendant to the informant, and the
43 substance, time, and place of any statement given by the
44 informant to a law enforcement agency implicating the
45 defendant in the offense charged;

46 (4) Whether the informant recanted that testimony or
47 statement and, if so, the time and place of the recantation,
48 the nature of the recantation, and the names of the persons
49 who were present at the recantation; and

50 (5) Information concerning other criminal cases in any
51 county in which the informant was endorsed by the state to
52 testify against a defendant, including the following:

53 (a) The case name and number;

54 (b) The substance of the testimony;

55 (c) Any cooperation agreement, deal, promise,
56 inducement, or benefit that was requested, offered, or
57 provided to the informant in connection with the informant's
58 testimony; and

59 (d) Any other information that is requested to be
60 disclosed under the Constitution of the United States, the
61 Constitution of Missouri, and the Missouri supreme court
62 rules of criminal procedure.

513.605. As used in sections 513.600 to 513.645,
2 unless the context clearly indicates otherwise, the
3 following terms mean:

4 (1) (a) "Beneficial interest":

5 a. The interest of a person as a beneficiary under any
6 other trust arrangement pursuant to which a trustee holds
7 legal or record title to real property for the benefit of
8 such person; or

9 b. The interest of a person under any other form of
10 express fiduciary arrangement pursuant to which any other
11 person holds legal or record title to real property for the
12 benefit of such person;

13 (b) "Beneficial interest" does not include the
14 interest of a stockholder in a corporation or the interest
15 of a partner in either a general partnership or limited
16 partnership. A beneficial interest shall be deemed to be
17 located where the real property owned by the trustee is
18 located;

19 (2) "Civil proceeding", any civil suit commenced by an
20 investigative agency under any provision of sections 513.600
21 to 513.645;

22 (3) "Criminal activity" is the commission, attempted
23 commission, conspiracy to commit, or the solicitation,
24 coercion or intimidation of another person to commit any

25 crime which is chargeable by indictment or information under
26 the following Missouri laws:

27 (a) Chapter 195, relating to drug regulations;

28 (b) Chapter 301, relating to registration and
29 licensing of motor vehicles;

30 (c) Chapter 304, but relating only to felony
31 violations of this chapter involving the use of a motor
32 vehicle;

33 (d) Chapter 311, but relating only to felony
34 violations of this chapter committed by persons not duly
35 licensed by the supervisor of liquor control;

36 (e) Chapter 409, relating to regulation of securities;

37 (f) Chapter 491, relating to witnesses;

38 (g) Chapter 565, relating to offenses against the
39 person;

40 [(c)] (h) Chapter 566, relating to sexual offenses;

41 [(d)] (i) Chapter 567, relating to prostitution;

42 (j) Chapter 568, relating to offenses against the
43 family;

44 [(e)] (k) Chapter 569, relating to robbery, arson,
45 burglary and related offenses;

46 [(f)] (l) Chapter 570, relating to stealing and
47 related offenses;

48 [(g)] Chapter 567, relating to prostitution;

49 [(h)] (m) Chapter 571, relating to weapons offenses;

50 (n) Chapter 572, relating to gambling;

51 (o) Chapter 573, relating to pornography and related
52 offenses;

53 [(i)] (p) Chapter 574, relating to offenses against
54 public order;

55 [(j)] (q) Chapter 575, relating to offenses against
56 the administration of justice;

57 [(k)] Chapter 491, relating to witnesses;

58 (l) Chapter 572, relating to gambling;
59 (m) Chapter 311, but relating only to felony
60 violations of this chapter committed by persons not duly
61 licensed by the supervisor of liquor control;
62 (n) Chapter 571, relating to weapons offenses;
63 (o) Chapter 409, relating to regulation of securities;
64 (p) Chapter 301, relating to registration and
65 licensing of motor vehicles]
66 (r) Chapter 578, but only relating to offenses by a
67 criminal street gang;
68 (4) "Criminal proceeding", any criminal prosecution
69 commenced by an investigative agency under any criminal law
70 of this state;
71 (5) "Investigative agency", the attorney general's
72 office, or the office of any prosecuting attorney or circuit
73 attorney;
74 (6) "Pecuniary value":
75 (a) Anything of value in the form of money, a
76 negotiable instrument, a commercial interest, or anything
77 else the primary significance of which is economic
78 advantage; or
79 (b) Any other property or service that has a value in
80 excess of one hundred dollars;
81 (7) "Real property", any estate or legal or equitable
82 interest in land situated in this state or any interest in
83 such real property, including, but not limited to, any lease
84 or deed of trust upon such real property;
85 (8) "Seizing agency", the agency which is the primary
86 employer of the officer or agent seizing the property,
87 including any agency in which one or more of the employees
88 acting on behalf of the seizing agency is employed by the
89 state of Missouri or any political subdivision of this state;

90 (9) "Seizure", the point at which any law enforcement
91 officer or agent discovers and exercises any control over
92 property that an officer or agent has reason to believe was
93 used or intended for use in the course of, derived from, or
94 realized through criminal activity. Seizure includes but is
95 not limited to preventing anyone found in possession of the
96 property from leaving the scene of the investigation while
97 in possession of the property;

98 (10) (a) "Trustee":

99 a. Any person who holds legal or record title to real
100 property for which any other person has a beneficial
101 interest; or

102 b. Any successor trustee or trustees to any of the
103 foregoing persons;

104 (b) "Trustee" does not include the following:

105 a. Any person appointed or acting as a personal
106 representative under chapter 475 or under chapter 473;

107 b. Any person appointed or acting as a trustee of any
108 testamentary trust or as trustee of any indenture of trust
109 under which any bonds are or are to be issued.

 556.061. In this code, unless the context requires a
2 different definition, the following terms shall mean:

3 (1) "Access", to instruct, communicate with, store
4 data in, retrieve or extract data from, or otherwise make
5 any use of any resources of, a computer, computer system, or
6 computer network;

7 (2) "Affirmative defense":

8 (a) The defense referred to is not submitted to the
9 trier of fact unless supported by evidence; and

10 (b) If the defense is submitted to the trier of fact
11 the defendant has the burden of persuasion that the defense
12 is more probably true than not;

13 (3) "Burden of injecting the issue":

14 (a) The issue referred to is not submitted to the
15 trier of fact unless supported by evidence; and

16 (b) If the issue is submitted to the trier of fact any
17 reasonable doubt on the issue requires a finding for the
18 defendant on that issue;

19 (4) "Commercial film and photographic print
20 processor", any person who develops exposed photographic
21 film into negatives, slides or prints, or who makes prints
22 from negatives or slides, for compensation. The term
23 commercial film and photographic print processor shall
24 include all employees of such persons but shall not include
25 a person who develops film or makes prints for a public
26 agency;

27 (5) "Computer", the box that houses the central
28 processing unit (CPU), along with any internal storage
29 devices, such as internal hard drives, and internal
30 communication devices, such as internal modems capable of
31 sending or receiving electronic mail or fax cards, along
32 with any other hardware stored or housed internally. Thus,
33 computer refers to hardware, software and data contained in
34 the main unit. Printers, external modems attached by cable
35 to the main unit, monitors, and other external attachments
36 will be referred to collectively as peripherals and
37 discussed individually when appropriate. When the computer
38 and all peripherals are referred to as a package, the term
39 "computer system" is used. Information refers to all the
40 information on a computer system including both software
41 applications and data;

42 (6) "Computer equipment", computers, terminals, data
43 storage devices, and all other computer hardware associated
44 with a computer system or network;

45 (7) "Computer hardware", all equipment which can
46 collect, analyze, create, display, convert, store, conceal

47 or transmit electronic, magnetic, optical or similar
48 computer impulses or data. Hardware includes, but is not
49 limited to, any data processing devices, such as central
50 processing units, memory typewriters and self-contained
51 laptop or notebook computers; internal and peripheral
52 storage devices, transistor-like binary devices and other
53 memory storage devices, such as floppy disks, removable
54 disks, compact disks, digital video disks, magnetic tape,
55 hard drive, optical disks and digital memory; local area
56 networks, such as two or more computers connected together
57 to a central computer server via cable or modem; peripheral
58 input or output devices, such as keyboards, printers,
59 scanners, plotters, video display monitors and optical
60 readers; and related communication devices, such as modems,
61 cables and connections, recording equipment, RAM or ROM
62 units, acoustic couplers, automatic dialers, speed dialers,
63 programmable telephone dialing or signaling devices and
64 electronic tone-generating devices; as well as any devices,
65 mechanisms or parts that can be used to restrict access to
66 computer hardware, such as physical keys and locks;

67 (8) "Computer network", two or more interconnected
68 computers or computer systems;

69 (9) "Computer program", a set of instructions,
70 statements, or related data that directs or is intended to
71 direct a computer to perform certain functions;

72 (10) "Computer software", digital information which
73 can be interpreted by a computer and any of its related
74 components to direct the way they work. Software is stored
75 in electronic, magnetic, optical or other digital form. The
76 term commonly includes programs to run operating systems and
77 applications, such as word processing, graphic, or
78 spreadsheet programs, utilities, compilers, interpreters and
79 communications programs;

80 (11) "Computer-related documentation", written,
81 recorded, printed or electronically stored material which
82 explains or illustrates how to configure or use computer
83 hardware, software or other related items;

84 (12) "Computer system", a set of related, connected or
85 unconnected, computer equipment, data, or software;

86 (13) "Confinement":

87 (a) A person is in confinement when such person is
88 held in a place of confinement pursuant to arrest or order
89 of a court, and remains in confinement until:

90 a. A court orders the person's release; or
91 b. The person is released on bail, bond, or
92 recognizance, personal or otherwise; or

93 c. A public servant having the legal power and duty to
94 confine the person authorizes his release without guard and
95 without condition that he return to confinement;

96 (b) A person is not in confinement if:

97 a. The person is on probation or parole, temporary or
98 otherwise; or

99 b. The person is under sentence to serve a term of
100 confinement which is not continuous, or is serving a
101 sentence under a work-release program, and in either such
102 case is not being held in a place of confinement or is not
103 being held under guard by a person having the legal power
104 and duty to transport the person to or from a place of
105 confinement;

106 (14) "Consent": consent or lack of consent may be
107 expressed or implied. Assent does not constitute consent if:

108 (a) It is given by a person who lacks the mental
109 capacity to authorize the conduct charged to constitute the
110 offense and such mental incapacity is manifest or known to
111 the actor; or

112 (b) It is given by a person who by reason of youth,
113 mental disease or defect, intoxication, a drug-induced
114 state, or any other reason is manifestly unable or known by
115 the actor to be unable to make a reasonable judgment as to
116 the nature or harmfulness of the conduct charged to
117 constitute the offense; or

118 (c) It is induced by force, duress or deception;

119 (15) "Controlled substance", a drug, substance, or
120 immediate precursor in schedules I through V as defined in
121 chapter 195;

122 (16) "Criminal negligence", failure to be aware of a
123 substantial and unjustifiable risk that circumstances exist
124 or a result will follow, and such failure constitutes a
125 gross deviation from the standard of care which a reasonable
126 person would exercise in the situation;

127 (17) "Custody", a person is in custody when he or she
128 has been arrested but has not been delivered to a place of
129 confinement;

130 (18) "Damage", when used in relation to a computer
131 system or network, means any alteration, deletion, or
132 destruction of any part of the computer system or network;

133 (19) "Dangerous felony", the felonies of arson in the
134 first degree, assault in the first degree, attempted rape in
135 the first degree if physical injury results, attempted
136 forcible rape if physical injury results, attempted sodomy
137 in the first degree if physical injury results, attempted
138 forcible sodomy if physical injury results, rape in the
139 first degree, forcible rape, sodomy in the first degree,
140 forcible sodomy, assault in the second degree if the victim
141 of such assault is a special victim as defined in
142 subdivision (14) of section 565.002, kidnapping in the first
143 degree, kidnapping, murder in the second degree, assault of
144 a law enforcement officer in the first degree, domestic

145 assault in the first degree, elder abuse in the first
146 degree, robbery in the first degree, armed criminal action,
147 conspiracy to commit an offense when the offense is a
148 dangerous felony, vehicle hijacking when punished as a class
149 A felony, statutory rape in the first degree when the victim
150 is a child less than twelve years of age at the time of the
151 commission of the act giving rise to the offense, statutory
152 sodomy in the first degree when the victim is a child less
153 than twelve years of age at the time of the commission of
154 the act giving rise to the offense, child molestation in the
155 first or second degree, abuse of a child if the child dies
156 as a result of injuries sustained from conduct chargeable
157 under section 568.060, child kidnapping, parental kidnapping
158 committed by detaining or concealing the whereabouts of the
159 child for not less than one hundred twenty days under
160 section 565.153, bus hijacking when punished as a class A
161 felony, planting a bomb or explosive in or near a bus or
162 terminal, and an "intoxication-related traffic offense" or
163 "intoxication-related boating offense" if the person is
164 found to be a "habitual offender" or "habitual boating
165 offender" as such terms are defined in section 577.001;

166 (20) "Dangerous instrument", any instrument, article
167 or substance, which, under the circumstances in which it is
168 used, is readily capable of causing death or other serious
169 physical injury;

170 (21) "Data", a representation of information, facts,
171 knowledge, concepts, or instructions prepared in a
172 formalized or other manner and intended for use in a
173 computer or computer network. Data may be in any form
174 including, but not limited to, printouts, microfiche,
175 magnetic storage media, punched cards and as may be stored
176 in the memory of a computer;

177 (22) "Deadly weapon", any firearm, loaded or unloaded,
178 or any weapon from which a shot, readily capable of
179 producing death or serious physical injury, may be
180 discharged, or a switchblade knife, dagger, billy club,
181 blackjack or metal knuckles;

182 (23) "Digital camera", a camera that records images in
183 a format which enables the images to be downloaded into a
184 computer;

185 (24) "Disability", a mental, physical, or
186 developmental impairment that substantially limits one or
187 more major life activities or the ability to provide
188 adequately for one's care or protection, whether the
189 impairment is congenital or acquired by accident, injury or
190 disease, where such impairment is verified by medical
191 findings;

192 (25) "Elderly person", a person sixty years of age or
193 older;

194 (26) "Felony", an offense so designated or an offense
195 for which persons found guilty thereof may be sentenced to
196 death or imprisonment for a term of more than one year;

197 (27) "Forcible compulsion" either:

198 (a) Physical force that overcomes reasonable
199 resistance; or

200 (b) A threat, express or implied, that places a person
201 in reasonable fear of death, serious physical injury or
202 kidnapping of such person or another person;

203 (28) "Incapacitated", a temporary or permanent
204 physical or mental condition in which a person is
205 unconscious, unable to appraise the nature of his or her
206 conduct, or unable to communicate unwillingness to an act;

207 (29) "Infraction", a violation defined by this code or
208 by any other statute of this state if it is so designated or

209 if no sentence other than a fine, or fine and forfeiture or
210 other civil penalty, is authorized upon conviction;

211 (30) "Inhabitable structure", a vehicle, vessel or
212 structure:

213 (a) Where any person lives or carries on business or
214 other calling; or

215 (b) Where people assemble for purposes of business,
216 government, education, religion, entertainment, or public
217 transportation; or

218 (c) Which is used for overnight accommodation of
219 persons.

220 Any such vehicle, vessel, or structure is inhabitable
221 regardless of whether a person is actually present. If a
222 building or structure is divided into separately occupied
223 units, any unit not occupied by the actor is an inhabitable
224 structure of another;

225 (31) "Knowingly", when used with respect to:

226 (a) Conduct or attendant circumstances, means a person
227 is aware of the nature of his or her conduct or that those
228 circumstances exist; or

229 (b) A result of conduct, means a person is aware that
230 his or her conduct is practically certain to cause that
231 result;

232 (32) "Law enforcement officer", any public servant
233 having both the power and duty to make arrests for
234 violations of the laws of this state, and federal law
235 enforcement officers authorized to carry firearms and to
236 make arrests for violations of the laws of the United States;

237 (33) "Misdemeanor", an offense so designated or an
238 offense for which persons found guilty thereof may be
239 sentenced to imprisonment for a term of which the maximum is
240 one year or less;

241 (34) "Of another", property that any entity, including
242 but not limited to any natural person, corporation, limited
243 liability company, partnership, association, governmental
244 subdivision or instrumentality, other than the actor, has a
245 possessory or proprietary interest therein, except that
246 property shall not be deemed property of another who has
247 only a security interest therein, even if legal title is in
248 the creditor pursuant to a conditional sales contract or
249 other security arrangement;

250 (35) "Offense", any felony or misdemeanor;

251 (36) "Physical injury", slight impairment of any
252 function of the body or temporary loss of use of any part of
253 the body;

254 (37) "Place of confinement", any building or facility
255 and the grounds thereof wherein a court is legally
256 authorized to order that a person charged with or convicted
257 of a crime be held;

258 (38) "Possess" or "possessed", having actual or
259 constructive possession of an object with knowledge of its
260 presence. A person has actual possession if such person has
261 the object on his or her person or within easy reach and
262 convenient control. A person has constructive possession if
263 such person has the power and the intention at a given time
264 to exercise dominion or control over the object either
265 directly or through another person or persons. Possession
266 may also be sole or joint. If one person alone has
267 possession of an object, possession is sole. If two or more
268 persons share possession of an object, possession is joint;

269 (39) "Property", anything of value, whether real or
270 personal, tangible or intangible, in possession or in action;

271 (40) "Public servant", any person employed in any way
272 by a government of this state who is compensated by the
273 government by reason of such person's employment, any person

274 appointed to a position with any government of this state,
275 or any person elected to a position with any government of
276 this state. It includes, but is not limited to,
277 legislators, jurors, members of the judiciary and law
278 enforcement officers. It does not include witnesses;

279 (41) "Purposely", when used with respect to a person's
280 conduct or to a result thereof, means when it is his or her
281 conscious object to engage in that conduct or to cause that
282 result;

283 (42) "Recklessly", consciously disregarding a
284 substantial and unjustifiable risk that circumstances exist
285 or that a result will follow, and such disregard constitutes
286 a gross deviation from the standard of care which a
287 reasonable person would exercise in the situation;

288 (43) "Serious emotional injury", an injury that
289 creates a substantial risk of temporary or permanent medical
290 or psychological damage, manifested by impairment of a
291 behavioral, cognitive or physical condition. Serious
292 emotional injury shall be established by testimony of
293 qualified experts upon the reasonable expectation of
294 probable harm to a reasonable degree of medical or
295 psychological certainty;

296 (44) "Serious physical injury", physical injury that
297 creates a substantial risk of death or that causes serious
298 disfigurement or protracted loss or impairment of the
299 function of any part of the body;

300 (45) "Services", when used in relation to a computer
301 system or network, means use of a computer, computer system,
302 or computer network and includes, but is not limited to,
303 computer time, data processing, and storage or retrieval
304 functions;

305 (46) "Sexual orientation", male or female
306 heterosexuality, homosexuality or bisexuality by

307 inclination, practice, identity or expression, or having a
308 self-image or identity not traditionally associated with
309 one's gender;

310 (47) "Vehicle", a self-propelled mechanical device
311 designed to carry a person or persons, excluding vessels or
312 aircraft;

313 (48) "Vessel", any boat or craft propelled by a motor
314 or by machinery, whether or not such motor or machinery is a
315 principal source of propulsion used or capable of being used
316 as a means of transportation on water, or any boat or craft
317 more than twelve feet in length which is powered by sail
318 alone or by a combination of sail and machinery, and used or
319 capable of being used as a means of transportation on water,
320 but not any boat or craft having, as the only means of
321 propulsion, a paddle or oars;

322 (49) "Voluntary act":

323 (a) A bodily movement performed while conscious as a
324 result of effort or determination. Possession is a
325 voluntary act if the possessor knowingly procures or
326 receives the thing possessed, or having acquired control of
327 it was aware of his or her control for a sufficient time to
328 have enabled him or her to dispose of it or terminate his or
329 her control; or

330 (b) An omission to perform an act of which the actor
331 is physically capable. A person is not guilty of an offense
332 based solely upon an omission to perform an act unless the
333 law defining the offense expressly so provides, or a duty to
334 perform the omitted act is otherwise imposed by law;

335 (50) "Vulnerable person", any person in the custody,
336 care, or control of the department of mental health who is
337 receiving services from an operated, funded, licensed, or
338 certified program.

566.210. 1. A person commits the offense of sexual
2 trafficking of a child in the first degree if he or she
3 knowingly:

4 (1) Recruits, entices, harbors, transports, provides,
5 or obtains by any means, including but not limited to
6 through the use of force, abduction, coercion, fraud,
7 deception, blackmail, or causing or threatening to cause
8 financial harm, a person under the age of twelve fourteen
9 to participate in a commercial sex act, a sexual
10 performance, or the production of explicit sexual material
11 as defined in section 573.010, or benefits, financially or
12 by receiving anything of value, from participation in such
13 activities;

14 (2) Causes a person under the age of twelve fourteen
15 to engage in a commercial sex act, a sexual performance, or
16 the production of explicit sexual material as defined in
17 section 573.010; or

18 (3) Advertises the availability of a person under the
19 age of twelve fourteen to participate in a commercial sex
20 act, a sexual performance, or the production of explicit
21 sexual material as defined in section 573.010.

22 2. It shall not be a defense that the defendant
23 believed that the person was twelve fourteen years of age
24 or older.

25 3. The offense of sexual trafficking of a child in the
26 first degree is a felony for which the authorized term of
27 imprisonment is life imprisonment without eligibility for
28 probation or parole until the offender has served not less
29 than twenty-five thirty years of such sentence.

30 Subsection 4 of section 558.019 shall not apply to the
31 sentence of a person who has been found guilty of sexual
32 trafficking of a child less than twelve fourteen years of
33 age, and "life imprisonment" shall mean imprisonment for the

34 duration of a person's natural life for the purposes of this
35 section.

566.211. 1. A person commits the offense of sexual
2 trafficking of a child in the second degree if he or she
3 knowingly:

4 (1) Recruits, entices, harbors, transports, provides,
5 or obtains by any means, including but not limited to
6 through the use of force, abduction, coercion, fraud,
7 deception, blackmail, or causing or threatening to cause
8 financial harm, a person under the age of eighteen to
9 participate in a commercial sex act, a sexual performance,
10 or the production of explicit sexual material as defined in
11 section 573.010, or benefits, financially or by receiving
12 anything of value, from participation in such activities;

13 (2) Causes a person under the age of eighteen to
14 engage in a commercial sex act, a sexual performance, or the
15 production of explicit sexual material as defined in section
16 573.010; or

17 (3) Advertises the availability of a person under the
18 age of eighteen to participate in a commercial sex act, a
19 sexual performance, or the production of explicit sexual
20 material as defined in section 573.010.

21 2. It shall not be a defense that the defendant
22 believed that the person was eighteen years of age or older.

23 3. The offense of sexual trafficking of a child in the
24 second degree is a felony punishable by imprisonment for a
25 term of years not less than **[ten]** twenty years or life and a
26 fine not to exceed two hundred fifty thousand dollars if the
27 child is under the age of eighteen. If a violation of this
28 section was effected by force, abduction, or coercion, the
29 crime of sexual trafficking of a child shall be a felony for
30 which the authorized term of imprisonment is life
31 imprisonment without eligibility for probation or parole

32 until the defendant has served not less than twenty-five
33 years of such sentence.

568.045. 1. A person commits the offense of
2 endangering the welfare of a child in the first degree if he
3 or she:

4 (1) Knowingly acts in a manner that creates a
5 substantial risk to the life, body, or health of a child
6 less than seventeen years of age; **[or]**

7 (2) Knowingly engages in sexual conduct with a person
8 under the age of seventeen years over whom the person is a
9 parent, guardian, or otherwise charged with the care and
10 custody;

11 (3) Knowingly encourages, aids or causes a child less
12 than seventeen years of age to engage in any conduct which
13 violates the provisions of chapter 571 or 579; or

14 (4) In the presence of a child less than seventeen
15 years of age or in a residence where a child less than
16 seventeen years of age resides, unlawfully manufactures or
17 attempts to manufacture compounds, possesses, produces,
18 prepares, sells, transports, tests or analyzes any of the
19 following: fentanyl, carfentanil, amphetamine, or
20 methamphetamine, or any [of its analogues] analogue thereof.

21 2. The offense of endangering the welfare of a child
22 in the first degree is a class D felony unless the offense:

23 (1) Is committed as part of an act or series of acts
24 performed by two or more persons as part of an established
25 or prescribed pattern of activity, or where physical injury
26 to the child results, or the offense is a second or
27 subsequent offense under this section, in which case the
28 offense is a class C felony;

29 (2) Involves fentanyl or carfentanil, or any analogue
30 thereof, in which case:

31 (a) The offense is a class B felony; and

32 (b) A person sentenced under this subdivision shall
33 not be eligible for conditional release or parole until he
34 or she has served at least five years of imprisonment;

35 (3) Results in serious physical injury to the child,
36 in which case the offense is a class B felony; or

37 [(3)] (4) Results in the death of a child, in which
38 case the offense is a class A felony.

569.151. 1. A person commits the offense of trespass
2 in the third degree if he or she enters a retail
3 establishment or similar public place with the primary
4 purpose of:

5 (1) Engaging in tumultuous or violent conduct causing
6 damage to property;

7 (2) Disrupting lawful commerce in such retail
8 establishment or similar public place;

9 (3) Creating the danger of serious physical injury to
10 persons; or

11 (4) Threatening or adversely affecting the health or
12 physical well-being of any individual located in or around
13 such retail establishment or similar public place.

14 2. A person commits the offense of trespass in the
15 third degree if he or she, either individually or as part of
16 an organized campaign, sponsors, promotes, or assists in the
17 conduct made unlawful under subsection 1 of this section.

18 3. The offense of trespass in the third degree is a
19 class B misdemeanor. If it is shown that an organized
20 campaign sponsored, promoted, or assisted in any conduct in
21 violation of this section, in addition to the penalty
22 imposed under this section, the organized campaign may be
23 required to pay a civil fine not to exceed five thousand
24 dollars.

570.030. 1. A person commits the offense of stealing
2 if he or she:

3 (1) Appropriates property or services of another with
4 the purpose to deprive him or her thereof, either without
5 his or her consent or by means of deceit or coercion;

6 (2) Attempts to appropriate anhydrous ammonia or
7 liquid nitrogen of another with the purpose to deprive him
8 or her thereof, either without his or her consent or by
9 means of deceit or coercion; or

10 (3) For the purpose of depriving the owner of a lawful
11 interest therein, receives, retains or disposes of property
12 of another knowing that it has been stolen, or believing
13 that it has been stolen.

14 2. The offense of stealing is a class A felony if the
15 property appropriated consists of any of the following
16 containing any amount of anhydrous ammonia: a tank truck,
17 tank trailer, rail tank car, bulk storage tank, field nurse,
18 field tank or field applicator.

19 3. The offense of stealing is a class B felony if:

20 (1) The property appropriated or attempted to be
21 appropriated consists of any amount of anhydrous ammonia or
22 liquid nitrogen;

23 (2) The property consists of any animal considered
24 livestock as the term livestock is defined in section
25 144.010, or any captive wildlife held under permit issued by
26 the conservation commission, and the value of the animal or
27 animals appropriated exceeds three thousand dollars and that
28 person has previously been found guilty of appropriating any
29 animal considered livestock or captive wildlife held under
30 permit issued by the conservation commission.

31 Notwithstanding any provision of law to the contrary, such
32 person shall serve a minimum prison term of not less than
33 eighty percent of his or her sentence before he or she is
34 eligible for probation, parole, conditional release, or
35 other early release by the department of corrections;

36 (3) A person appropriates property consisting of a
37 motor vehicle, watercraft, or aircraft, and that person has
38 previously been found guilty of two stealing-related
39 offenses committed on two separate occasions where such
40 offenses occurred within ten years of the date of occurrence
41 of the present offense;

42 (4) The property appropriated or attempted to be
43 appropriated consists of any animal considered livestock as
44 the term is defined in section 144.010 if the value of the
45 livestock exceeds ten thousand dollars; [or]

46 (5) The property appropriated or attempted to be
47 appropriated is owned by or in the custody of a financial
48 institution and the property is taken or attempted to be
49 taken physically from an individual person to deprive the
50 owner or custodian of the property; or

51 (6) The person appropriates property, the person's
52 course of conduct is part of an organized retail theft, and
53 the value of the property taken, combined with any property
54 damage inflicted in such theft, is ten thousand dollars or
55 more.

56 4. The offense of stealing is a class C felony if:

57 (1) The value of the property or services appropriated
58 is twenty-five thousand dollars or more [or];

59 (2) The property is a teller machine or the contents
60 of a teller machine, including cash, regardless of the value
61 or amount; or

62 (3) The person appropriates property, the person's
63 course of conduct is part of an organized retail theft, and
64 the value of the property taken, combined with any property
65 damage inflicted in such theft, is seven hundred fifty
66 dollars or more but less than ten thousand dollars.

67 5. The offense of stealing is a class D felony if:

- 68 (1) The value of the property or services appropriated
69 is seven hundred fifty dollars or more;
- 70 (2) The offender physically takes the property
71 appropriated from the person of the victim; or
- 72 (3) The property appropriated consists of:
- 73 (a) Any motor vehicle, watercraft or aircraft;
- 74 (b) Any will or unrecorded deed affecting real
75 property;
- 76 (c) Any credit device, debit device or letter of
77 credit;
- 78 (d) Any firearms;
- 79 (e) Any explosive weapon as defined in section 571.010;
- 80 (f) Any United States national flag designed, intended
81 and used for display on buildings or stationary flagstaffs
82 in the open;
- 83 (g) Any original copy of an act, bill or resolution,
84 introduced or acted upon by the legislature of the state of
85 Missouri;
- 86 (h) Any pleading, notice, judgment or any other record
87 or entry of any court of this state, any other state or of
88 the United States;
- 89 (i) Any book of registration or list of voters
90 required by chapter 115;
- 91 (j) Any animal considered livestock as that term is
92 defined in section 144.010;
- 93 (k) Any live fish raised for commercial sale with a
94 value of seventy-five dollars or more;
- 95 (l) Any captive wildlife held under permit issued by
96 the conservation commission;
- 97 (m) Any controlled substance as defined by section
98 195.010;
- 99 (n) Ammonium nitrate;

100 (o) Any wire, electrical transformer, or metallic wire
101 associated with transmitting telecommunications, video,
102 internet, or voice over internet protocol service, or any
103 other device or pipe that is associated with conducting
104 electricity or transporting natural gas or other combustible
105 fuels; or

106 (p) Any material appropriated with the intent to use
107 such material to manufacture, compound, produce, prepare,
108 test or analyze amphetamine or methamphetamine or any of
109 their analogues.

110 6. The offense of stealing is a class E felony if:

111 (1) The property appropriated is an animal;

112 (2) The property is a catalytic converter;

113 (3) A person has previously been found guilty of three
114 stealing-related offenses committed on three separate
115 occasions where such offenses occurred within ten years of
116 the date of occurrence of the present offense; or

117 (4) The property appropriated is a letter, postal
118 card, package, bag, or other sealed article that was
119 delivered by a common carrier or delivery service and not
120 yet received by the addressee or that had been left to be
121 collected for shipment by a common carrier or delivery
122 service.

123 7. The offense of stealing is a class D misdemeanor if
124 the property is not of a type listed in subsection 2, 3, 5,
125 or 6 of this section, the property appropriated has a value
126 of less than one hundred fifty dollars, and the person has
127 no previous findings of guilt for a stealing-related offense.

128 8. The offense of stealing is a class A misdemeanor if
129 no other penalty is specified in this section.

130 9. If a violation of this section is subject to
131 enhanced punishment based on prior findings of guilt, such

132 findings of guilt shall be pleaded and proven in the same
133 manner as required by section 558.021.

134 10. The appropriation of any property or services of a
135 type listed in subsection 2, 3, 5, or 6 of this section or
136 of a value of seven hundred fifty dollars or more may be
137 considered a separate felony and may be charged in separate
138 counts.

139 11. The value of property or services appropriated
140 pursuant to one scheme or course of conduct, whether from
141 the same or several owners and whether at the same or
142 different times, constitutes a single criminal episode and
143 may be aggregated in determining the grade of the offense,
144 except as set forth in subsection 10 of this section.

145 12. As used in this section, the term "organized
146 retail theft" means:

147 (1) Any act of stealing committed by one or more
148 persons, as part of any agreement to steal property from any
149 business, and separate acts of stealing that are part of any
150 ongoing agreement to steal may be aggregated for the purpose
151 of determining value regardless of whether such acts are
152 committed in the same jurisdiction or at the same time;

153 (2) Any act of receiving or possessing any property
154 that has been taken or stolen in violation of subdivision
155 (1) of this subsection while knowing or having reasonable
156 grounds to believe the property is stolen from any business
157 in violation of this section, and separate acts of receiving
158 or possessing such stolen property that are part of any
159 ongoing agreement to receive or possess such stolen property
160 may be aggregated for the purpose of determining value
161 regardless of whether such acts are committed in the same
162 jurisdiction or at the same time; or

163 (3) Any act of organizing, supervising, financing,
164 leading, or managing between one or more persons to engage

165 for profit in a scheme or course of conduct to effectuate or
166 intend to effectuate the transfer or sale of property stolen
167 from any business in violation of this section, and separate
168 acts of organizing, supervising, financing, leading, or
169 managing between one or more persons to engage for profit in
170 a scheme or course of conduct to effectuate or intend to
171 effectuate the transfer or sale of such stolen property that
172 are part of any ongoing agreement to organize, supervise,
173 finance, lead, or manage between one or more persons to
174 engage for profit in a scheme or course of conduct to
175 effectuate or intend to effectuate the transfer or sale of
176 such stolen property may be aggregated for the purpose of
177 determining the value regardless of whether such acts are
178 committed in the same jurisdiction or at the same time.

179 13. If any prosecuting attorney or circuit attorney
180 makes a request in writing to the attorney general, the
181 attorney general shall have the authority to commence and
182 prosecute the offense of stealing if such offense involves
183 organized retail theft, and any other offenses that directly
184 arise from or causally occur as a result of an alleged
185 violation of the offense of stealing involving organized
186 retail theft, in each or any county or a city not within a
187 county in which the offense occurred with the same power and
188 authority granted to prosecuting attorneys in section 56.060
189 and circuit attorneys in section 56.450, except that all
190 costs and fees of such prosecution by the attorney general
191 shall be paid by the state and not by any county or local
192 government.

193 14. No provision of this section shall grant any
194 additional power to the attorney general beyond commencement
195 and prosecution of offenses as authorized in this section.

575.133. 1. A person commits the offense of filing a
2 nonconsensual common law lien if he or she files a document

3 that purports to assert a lien against the assets, real or
4 personal, of any person and that, regardless of any self-
5 description:

6 (1) Is not expressly provided for by a specific state
7 or federal statute;

8 (2) Does not depend upon the consent of the owner of
9 the property affected or the existence of a contract for its
10 existence; and

11 (3) Is not an equitable or constructive lien imposed
12 by a state or federal court of competent jurisdiction.

13 2. This section shall not apply to a filing officer as
14 defined in section 428.105 that is acting in the scope of
15 his or her employment.

16 3. The offense of filing a nonconsensual common law
17 lien is a class B misdemeanor, unless it is a second
18 offense, in which case it is a class A misdemeanor. Any
19 third or subsequent offense of filing a nonconsensual common
20 law lien is a class E felony. Any person convicted of a
21 third or subsequent offense of filing a nonconsensual common
22 law lien shall be considered a persistent offender, as such
23 term is defined in section 558.016.

575.150. 1. A person commits the offense of resisting
2 or interfering with arrest, detention, or stop if he or she
3 knows or reasonably should know that a law enforcement
4 officer is making an arrest or attempting to lawfully detain
5 or stop an individual or vehicle, and for the purpose of
6 preventing the officer from effecting the arrest, stop or
7 detention, he or she:

8 (1) Resists the arrest, stop or detention of such
9 person by using or threatening the use of violence or
10 physical force or by fleeing from such officer; or

11 (2) Interferes with the arrest, stop or detention of
12 another person by using or threatening the use of violence,
13 physical force or physical interference.

14 2. This section applies to:

15 (1) Arrests, stops, or detentions, with or without
16 warrants;

17 (2) Arrests, stops, or detentions, for any offense,
18 infraction, or ordinance violation; and

19 (3) Arrests for warrants issued by a court or a
20 probation and parole officer.

21 3. A person is presumed to be fleeing a vehicle stop
22 if he or she continues to operate a motor vehicle after he
23 or she has seen or should have seen clearly visible
24 emergency lights or has heard or should have heard an
25 audible signal emanating from the law enforcement vehicle
26 pursuing him or her.

27 4. It is no defense to a prosecution pursuant to
28 subsection 1 of this section that the law enforcement
29 officer was acting unlawfully in making the arrest.
30 However, nothing in this section shall be construed to bar
31 civil suits for unlawful arrest.

32 5. The offense of resisting or interfering with an
33 arrest is a class E felony for an arrest for a:

34 (1) Felony;

35 (2) Warrant issued for failure to appear on a felony
36 case; or

37 (3) Warrant issued for a probation violation on a
38 felony case.

39 The offense of resisting an arrest, detention or stop in
40 violation of subdivision (1) or (2) of subsection 1 of this
41 section is a class A misdemeanor, unless the person fleeing
42 creates a substantial risk of serious physical injury or
43 death to any person, in which case it is a class E felony.

44 6. In the case of an offense under this section that
45 is subject to punishment as a class E felony, any vehicle
46 used in violation of this section shall be impounded and
47 forfeited pursuant to section 82.1000 and sections 513.600
48 to 513.645.

576.030. 1. A person commits the offense of
2 obstructing government operations if he or she purposely
3 obstructs, impairs, hinders or perverts the performance of a
4 governmental function by the use or threat of violence,
5 force, or other physical interference or obstacle.

6 2. The offense of obstructing government operations is
7 a class [B] A misdemeanor if the person threatens violence,
8 force, or other physical interference or obstacle. The
9 offense of obstructing government operations is a class E
10 felony if the person uses violence, force, or other physical
11 interference or obstacle.

577.150. 1. A person commits the offense of tampering
2 with a water supply if he or she purposely:

3 (1) Poisons, defiles, or in any way corrupts the water
4 of a well, spring, brook, or reservoir used for domestic or
5 municipal purposes; or

6 (2) Diverts, dams up, and holds back from its natural
7 course and flow any spring, brook, or other water supply for
8 domestic or municipal purposes, after said water supply
9 shall have once been taken for use by any person or persons,
10 corporation, town, or city for their use.

11 2. The offense of tampering with a water supply is a
12 class E felony when the offense is a violation of
13 subdivision (1) of subsection 1 of this section and is a
14 class A misdemeanor when the offense is a violation of
15 subdivision (2) of subsection 1 of this section.

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 six hundred, with the following
4 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.

67 4. The basic training of every peace officer first
68 licensed on or after August 28, 2027, shall include at least

69 six hours of training concerning the prohibition against
70 racial profiling and such training shall promote
71 understanding and respect for racial and cultural
72 differences and the use of effective, noncombative methods
73 for carrying out law enforcement duties in a racially and
74 culturally diverse environment. Such training shall include
75 two hours of racial profiling training, two hours of
76 implicit bias training, and two hours of de-escalation
77 training.

2 590.208. 1. There is hereby established the
3 "Committee on School Safety" within the department of public
4 safety.

5 2. The committee shall consist of the following
6 members:

7 (1) Up to three representatives of the department of
8 public safety;

9 (2) A representative of the Missouri Sheriff's
10 Association;

11 (3) A representative of the Missouri Municipal League;

12 (4) A representative of the department of elementary
13 and secondary education; and

14 (5) A representative of the Missouri School Boards'
15 Association's Center for Education Safety.

16 3. One member who represents the department of public
17 safety shall serve as chair of the committee.

18 4. Members of the committee shall serve without
19 compensation but may be reimbursed for actual expenses
20 necessary to the performance of their official duties for
21 the committee.

22 5. The committee shall meet at least four times per
23 year, and at least once per calendar quarter, to evaluate
24 and establish guidelines for school safety concerns,
including plans to prevent school firearm violence.

25 6. Except as provided in section 610.021, all meetings
26 of the committee shall be open to the public.

27 7. The committee shall submit an annual report in
28 writing to the governor, president pro tempore of the
29 senate, and speaker of the house of representatives.

 595.209. 1. The following rights shall automatically
2 be afforded to victims of dangerous felonies, as defined in
3 section 556.061, victims of murder in the first degree, as
4 defined in section 565.020, victims of voluntary
5 manslaughter, as defined in section 565.023, victims of any
6 offense under chapter 566, victims of an attempt to commit
7 one of the preceding crimes, as defined in section 562.012,
8 and victims of domestic assault, as defined in sections
9 565.072 to 565.076; and, upon written request, the following
10 rights shall be afforded to victims of all other crimes and
11 witnesses of crimes:

12 (1) For victims, the right to be present at all
13 criminal justice proceedings at which the defendant has such
14 right, including juvenile proceedings where the offense
15 would have been a felony if committed by an adult, even if
16 the victim is called to testify or may be called to testify
17 as a witness in the case;

18 (2) For victims, the right to information about the
19 crime, as provided for in subdivision (5) of this subsection;

20 (3) For victims and witnesses, to be informed, in a
21 timely manner, by the prosecutor's office of the filing of
22 charges, preliminary hearing dates, trial dates,
23 continuances and the final disposition of the case. Final
24 disposition information shall be provided within five days;

25 (4) For victims, the right to confer with and to be
26 informed by the prosecutor regarding bail hearings, guilty
27 pleas, pleas under chapter 552 or its successors, hearings,
28 sentencing and probation revocation hearings and the right

29 to be heard at such hearings, including juvenile
30 proceedings, unless in the determination of the court the
31 interests of justice require otherwise;

32 (5) For victims, the right to be informed by local law
33 enforcement agencies, the appropriate juvenile authorities
34 or the custodial authority of the following:

35 (a) The status of any case concerning a crime against
36 the victim, including juvenile offenses;

37 (b) The right to be informed by local law enforcement
38 agencies or the appropriate juvenile authorities of the
39 availability of victim compensation assistance, assistance
40 in obtaining documentation of the victim's losses,
41 including, but not limited to and subject to existing law
42 concerning protected information or closed records, access
43 to copies of complete, unaltered, unedited investigation
44 reports of motor vehicle, pedestrian, and other similar
45 accidents upon request to the appropriate law enforcement
46 agency by the victim or the victim's representative, and
47 emergency crisis intervention services available in the
48 community;

49 (c) Any release of such person on bond or for any
50 other reason;

51 (d) Within twenty-four hours, any escape by such
52 person from a municipal detention facility, county jail, a
53 correctional facility operated by the department of
54 corrections, mental health facility, or the division of
55 youth services or any agency thereof, and any subsequent
56 recapture of such person; and

57 (e) The name of an informant who has been endorsed
58 under section 491.065 as a witness by a prosecuting or
59 circuit attorney and any benefit that has been requested by
60 or has been offered to the informant and any benefit that

61 may be provided at a future date in connection with such
62 endorsement;

63 (6) For victims, the right to be informed by
64 appropriate juvenile authorities of probation revocation
65 hearings initiated by the juvenile authority and the right
66 to be heard at such hearings or to offer a written
67 statement, video or audio tape, counsel or a representative
68 designated by the victim in lieu of a personal appearance,
69 the right to be informed by the board of probation and
70 parole of probation revocation hearings initiated by the
71 board and of parole hearings, the right to be present at
72 each and every phase of parole hearings, the right to be
73 heard at probation revocation and parole hearings or to
74 offer a written statement, video or audio tape, counsel or a
75 representative designated by the victim in lieu of a
76 personal appearance, and the right to have, upon written
77 request of the victim, a partition set up in the probation
78 or parole hearing room in such a way that the victim is
79 shielded from the view of the probationer or parolee, and
80 the right to be informed by the custodial mental health
81 facility or agency thereof of any hearings for the release
82 of a person committed pursuant to the provisions of chapter
83 552, the right to be present at such hearings, the right to
84 be heard at such hearings or to offer a written statement,
85 video or audio tape, counsel or a representative designated
86 by the victim in lieu of personal appearance;

87 (7) For victims and witnesses, upon their written
88 request, the right to be informed by the appropriate
89 custodial authority, including any municipal detention
90 facility, juvenile detention facility, county jail,
91 correctional facility operated by the department of
92 corrections, mental health facility, division of youth
93 services or agency thereof if the offense would have been a

94 felony if committed by an adult, postconviction or
95 commitment pursuant to the provisions of chapter 552 of the
96 following:

97 (a) The projected date of such person's release from
98 confinement;

99 (b) Any release of such person on bond;

100 (c) Any release of such person on furlough, work
101 release, trial release, electronic monitoring program, or to
102 a community correctional facility or program or release for
103 any other reason, in advance of such release;

104 (d) Any scheduled parole or release hearings,
105 including hearings under section 217.362, regarding such
106 person and any changes in the scheduling of such hearings.
107 No such hearing shall be conducted without thirty days'
108 advance notice;

109 (e) Within twenty-four hours, any escape by such
110 person from a municipal detention facility, county jail, a
111 correctional facility operated by the department of
112 corrections, mental health facility, or the division of
113 youth services or any agency thereof, and any subsequent
114 recapture of such person;

115 (f) Any decision by a parole board, by a juvenile
116 releasing authority or by a circuit court presiding over
117 releases pursuant to the provisions of chapter 552, or by a
118 circuit court presiding over releases under section 217.362,
119 to release such person or any decision by the governor to
120 commute the sentence of such person or pardon such person;
121 and

122 (g) Notification within thirty days of the death of
123 such person;

124 (8) For witnesses who have been summoned by the
125 prosecuting attorney and for victims, to be notified by the

126 prosecuting attorney in a timely manner when a court
127 proceeding will not go on as scheduled;

128 (9) For victims and witnesses, the right to reasonable
129 protection from the defendant or any person acting on behalf
130 of the defendant from harm and threats of harm arising out
131 of their cooperation with law enforcement and prosecution
132 efforts;

133 (10) For victims and witnesses, on charged cases or
134 submitted cases where no charge decision has yet been made,
135 to be informed by the prosecuting attorney of the status of
136 the case and of the availability of victim compensation
137 assistance and of financial assistance and emergency and
138 crisis intervention services available within the community
139 and information relative to applying for such assistance or
140 services, and of any final decision by the prosecuting
141 attorney not to file charges;

142 (11) For victims, to be informed by the prosecuting
143 attorney of the right to restitution which shall be
144 enforceable in the same manner as any other cause of action
145 as otherwise provided by law;

146 (12) For victims and witnesses, to be informed by the
147 court and the prosecuting attorney of procedures to be
148 followed in order to apply for and receive any witness fee
149 to which they are entitled;

150 (13) When a victim's property is no longer needed for
151 evidentiary reasons or needs to be retained pending an
152 appeal, the prosecuting attorney or any law enforcement
153 agency having possession of the property shall, upon request
154 of the victim, return such property to the victim within
155 five working days unless the property is contraband or
156 subject to forfeiture proceedings, or provide written
157 explanation of the reason why such property shall not be
158 returned;

159 (14) An employer may not discharge or discipline any
160 witness, victim or member of a victim's immediate family for
161 honoring a subpoena to testify in a criminal proceeding,
162 attending a criminal proceeding, or for participating in the
163 preparation of a criminal proceeding, or require any
164 witness, victim, or member of a victim's immediate family to
165 use vacation time, personal time, or sick leave for honoring
166 a subpoena to testify in a criminal proceeding, attending a
167 criminal proceeding, or participating in the preparation of
168 a criminal proceeding. A public school district, public
169 school, or charter school shall not discipline a child for
170 failure to comply with the district's or school's attendance
171 policy, and the parent or legal guardian shall not be deemed
172 to be in violation of the provisions of section 167.061, and
173 the district or school shall not otherwise discipline a
174 child, based on such child's honoring a subpoena to testify
175 in a criminal proceeding, attending a criminal proceeding,
176 or for participating in the preparation of a criminal
177 proceeding;

178 (15) For victims, to be provided with creditor
179 intercession services by the prosecuting attorney if the
180 victim is unable, as a result of the crime, temporarily to
181 meet financial obligations;

182 (16) For victims and witnesses, the right to speedy
183 disposition of their cases, and for victims, the right to
184 speedy appellate review of their cases, provided that
185 nothing in this subdivision shall prevent the defendant from
186 having sufficient time to prepare such defendant's defense.
187 The attorney general shall provide victims, upon their
188 written request, case status information throughout the
189 appellate process of their cases. The provisions of this
190 subdivision shall apply only to proceedings involving the
191 particular case to which the person is a victim or witness;

192 (17) For victims and witnesses, to be provided by the
193 court, a secure waiting area during court proceedings and to
194 receive notification of the date, time and location of any
195 hearing conducted by the court for reconsideration of any
196 sentence imposed, modification of such sentence or recall
197 and release of any defendant from incarceration; and

198 (18) For victims, the right to receive upon request
199 from the department of corrections a photograph taken of the
200 defendant prior to release from incarceration.

201 2. The provisions of subsection 1 of this section
202 shall not be construed to imply any victim who is
203 incarcerated by the department of corrections or any local
204 law enforcement agency has a right to be released to attend
205 any hearing or that the department of corrections or the
206 local law enforcement agency has any duty to transport such
207 incarcerated victim to any hearing.

208 3. Those persons entitled to notice of events pursuant
209 to the provisions of subsection 1 of this section shall
210 provide the appropriate person or agency with their current
211 addresses, electronic mail addresses, and telephone numbers
212 or the addresses, electronic mail addresses, or telephone
213 numbers at which they wish notification to be given.

214 4. Notification by the appropriate person or agency
215 utilizing the statewide automated crime victim notification
216 system as established in section 650.310 shall constitute
217 compliance with the victim notification requirement of this
218 section. If notification utilizing the statewide automated
219 crime victim notification system cannot be used, then
220 written notification shall be sent by certified mail or
221 electronic mail to the most current address or electronic
222 mail address provided by the victim.

223 5. Victims' rights as established in Section 32 of
224 Article I of the Missouri Constitution or the laws of this

225 state pertaining to the rights of victims of crime shall be
226 granted and enforced regardless of the desires of a
227 defendant and no privileges of confidentiality shall exist
228 in favor of the defendant to exclude victims or prevent
229 their full participation in each and every phase of parole
230 hearings or probation revocation hearings. The rights of
231 the victims granted in this section are absolute and the
232 policy of this state is that the victim's rights are
233 paramount to the defendant's rights. The victim has an
234 absolute right to be present at any hearing in which the
235 defendant is present before a probation and parole hearing
236 officer.

595.325. 1. There is hereby created the "Missing and
2 Murdered African American Women and Girls Task Force" to
3 consist of the following members:

4 (1) The following four members of the general assembly:

5 (a) Two members of the senate, with one member to be
6 appointed by the president pro tempore of the senate and one
7 member to be appointed by the minority floor leader of the
8 senate; and

9 (b) Two members of the house of representatives, with
10 one member to be appointed by the speaker of the house of
11 representatives and one member to be appointed by the
12 minority floor leader of the house of representatives;

13 (2) The director of the department of public safety or
14 his or her designee;

15 (3) Two representatives appointed by the director of
16 the department of public safety from among the following:

17 (a) A member from the Missouri Police Chiefs
18 Association;

19 (b) A member from the Missouri Sheriffs Association; or

20 (c) The superintendent of the Missouri highway patrol
21 or his or her designee;

22 (4) One or more representatives appointed by the
23 director of public safety from among the following:
24 (a) The attorney general or his or her designee;
25 (b) The director of the Missouri office of prosecution
26 services;
27 (c) The president of the Missouri prosecutors
28 association;
29 (d) A judge or attorney working in a juvenile court; or
30 (e) An attorney working in the United States
31 Attorney's Office;
32 (5) A county coroner or a representative from a
33 statewide coroner's association;
34 (6) Three or more representatives appointed by the
35 director of public safety from among the following:
36 (a) A statewide or local organization that provides
37 legal services to African American women and girls;
38 (b) A statewide or local organization that provides
39 advocacy or counseling for African American women and girls
40 who have been victims of violence;
41 (c) A statewide or local organization that provides
42 services to African American women and girls; or
43 (d) An African American woman who is a survivor of
44 gender violence.
45 2. The task force shall appoint a chairperson who is
46 elected by a majority vote of the members of the task
47 force. The task force shall have an initial meeting before
48 October 1, 2025. The members of the task force shall serve
49 without compensation, but shall be entitled to necessary and
50 actual expenses incurred in attending meetings of the task
51 force.
52 3. The task force shall examine and report on the
53 following:

54 (1) The systemic causes behind violence that African
55 American women and girls experience, including patterns and
56 underlying factors that explain why disproportionately high
57 levels of violence occur against African American women and
58 girls, including underlying historical, social, economic,
59 institutional, and cultural factors that may contribute to
60 the violence;

61 (2) Appropriate methods for tracking and collecting
62 data on violence against African American women and girls,
63 including data on missing and murdered African American
64 women and girls;

65 (3) Policies and institutions such as policing, child
66 welfare, coroner practices, and other governmental practices
67 that impact violence against African American women and
68 girls and the investigation and prosecution of crimes of
69 gender violence against African American women and girls;

70 (4) Measures necessary to address and reduce violence
71 against African American women and girls; and

72 (5) Measures to help victims, victims' families, and
73 victims' communities prevent and heal from violence that
74 occurs against African American women and girls.

75 4. The department of public safety shall provide
76 administrative support to the task force.

77 5. On or before December thirty-first of each year,
78 the task force shall submit a report on its findings to the
79 governor and the general assembly.

80 6. The task force shall expire on December 31, 2027,
81 unless extended until December 31, 2029, as determined
82 necessary by the department of public safety.

650.058. 1. Notwithstanding the sovereign immunity of
2 the state, any individual who was found guilty of a felony
3 in a Missouri court and was later determined to be actually
4 innocent of such crime [solely as a result of DNA profiling

5 analysis] may be paid restitution. The individual may
6 receive an amount of one hundred seventy-nine dollars per
7 day for each day of postconviction incarceration for the
8 crime for which the individual is determined to be actually
9 innocent. The petition for the payment of said restitution
10 shall be filed with the sentencing court. For the purposes
11 of this section, the term "actually innocent" shall mean:

12 (1) The individual was convicted of a felony for which
13 a final order of release was entered by the court;

14 (2) All appeals of the order of release have been
15 exhausted;

16 (3) The individual was not serving any term of a
17 sentence for any other crime concurrently with the sentence
18 for which he or she is determined to be actually innocent,
19 unless such individual was serving another concurrent
20 sentence because his or her parole was revoked by a court or
21 the parole board in connection with the crime for which the
22 person has been exonerated. Regardless of whether any other
23 basis may exist for the revocation of the person's probation
24 or parole at the time of conviction for the crime for which
25 the person is later determined to be actually innocent, when
26 the court's or the parole board's sole stated reason for the
27 revocation in its order is the conviction for the crime for
28 which the person is later determined to be actually
29 innocent, such order shall, for purposes of this section
30 only, be conclusive evidence that [their] the persons's
31 probation or parole was revoked in connection with the crime
32 for which the person has been exonerated; and

33 (4) Testing ordered under section 547.035, or testing
34 by the order of any state or federal court, if such person
35 was exonerated on or before August 28, 2004, or testing
36 ordered under section 650.055, if such person was or is
37 exonerated after August 28, 2004, or after an evidentiary

38 hearing and finding in a habeas corpus proceeding or a
39 proceeding held pursuant to section 547.031 which
40 demonstrates a person's innocence of the crime for which the
41 person is in custody.

42 Any individual who receives restitution under this section
43 shall be prohibited from seeking any civil redress from the
44 state, its departments and agencies, or any employee
45 thereof, or any political subdivision or its employees.
46 This section shall not be construed as a waiver of sovereign
47 immunity for any purposes other than the restitution
48 provided for herein. The department of corrections shall
49 determine the aggregate amount of restitution owed during a
50 fiscal year. If insufficient moneys are appropriated each
51 fiscal year to pay restitution to such persons, the
52 department shall pay each individual who has received an
53 order awarding restitution a pro rata share of the amount
54 appropriated. Provided sufficient moneys are appropriated
55 to the department, the amounts owed to such individual shall
56 be paid on June thirtieth of each subsequent fiscal year,
57 until such time as the restitution to the individual has
58 been paid in full. However, no individual awarded
59 restitution under this subsection shall receive more than
60 ~~[thirty-six]~~ sixty-five thousand ~~[five hundred]~~ dollars
61 during each fiscal year. No interest on unpaid restitution
62 shall be awarded to the individual. ~~[No individual who has~~
63 ~~been determined by the court to be actually innocent shall~~
64 ~~be responsible for the costs of care under section 217.831]~~
65 However, an individual may also be awarded other nonmonetary
66 relief, including counseling, housing assistance, and
67 personal financial literary assistance.

68 2. If the results of the DNA testing confirm the
69 person's guilt, then the person filing for DNA testing under
70 section 547.035, shall:

71 (1) Be liable for any reasonable costs incurred when
72 conducting the DNA test, including but not limited to the
73 cost of the test. Such costs shall be determined by the
74 court and shall be included in the findings of fact and
75 conclusions of law made by the court; and

76 (2) Be sanctioned under the provisions of section
77 217.262.

78 3. A petition for payment of restitution under this
79 section may [only] be filed only by the individual
80 determined to be actually innocent or the individual's legal
81 guardian. No claim or petition for restitution under this
82 section may be filed by the individual's heirs or assigns.
83 An individual's right to receive restitution under this
84 section is not assignable or otherwise transferrable. The
85 state's obligation to pay restitution under this section
86 shall cease upon the individual's death. Any beneficiary
87 designation that purports to bequeath, assign, or otherwise
88 convey the right to receive such restitution shall be void
89 and unenforceable.

90 4. An individual who is determined to be actually
91 innocent of a crime under this chapter shall automatically
92 be granted an order of expungement from the court in which
93 he or she pled guilty or was sentenced to expunge from all
94 official records all recordations of his or her arrest,
95 plea, trial or conviction. Upon the court's granting of the
96 order of expungement, the records and files maintained in
97 any administrative or court proceeding in an associate or
98 circuit division of the court shall be confidential and
99 [only] available only to the parties or by order of the
100 court for good cause shown. The effect of such order shall
101 be to restore such person to the status he or she occupied
102 prior to such arrest, plea or conviction and as if such
103 event had never taken place. No person as to whom such

104 order has been entered shall be held thereafter under any
105 provision of any law to be guilty of perjury or otherwise
106 giving a false statement by reason of his or her failure to
107 recite or acknowledge such arrest, plea, trial, conviction
108 or expungement in response to any inquiry made of him or her
109 for any purpose whatsoever and no such inquiry shall be made
110 for information relating to an expungement under this
111 section.

Section 1. In the event that any section, provision,
2 clause, phrase, or word of this act or the application
3 thereof is declared invalid under the Constitution of the
4 United States or the Constitution of the State of Missouri,
5 it is the intent of the general assembly that the remaining
6 sections of this act remain in force and effect as far as
7 they are capable of being carried into execution as intended
8 by the general assembly. The general assembly hereby
9 declares that it would have passed each section, provision,
10 clause, phrase, or word thereof, irrespective of the fact
11 that any one or more sections, provisions, clauses, phrases,
12 or words of this act or the application of this act would be
13 declared unenforceable, unconstitutional, or invalid.

[84.175. 1. Upon recommendation of the
2 chief of police, the board may authorize and
3 provide for the organization of a police reserve
4 force composed of members who receive a service
5 retirement under the provisions of sections
6 86.200 to 86.366 and who qualify under the
7 provisions of section 84.120. Such reserve
8 force shall be under the command of the chief of
9 police and shall be provided training,
10 equipment, uniforms, and arms as the chief shall
11 direct with the approval of the board. Members
12 of the reserve force shall possess all of the
13 powers of regular police officers and shall be
14 subject to all laws and regulations applicable
15 to police officers; provided, however, that the
16 city council or other governing body of any such

17 city may in its discretion fix a total in number
18 which the reserve force may not exceed.

19 2. In event of riot or other emergencies
20 as declared and defined by the mayor, in
21 concurrence with the board, the board, upon
22 recommendation of the chief, may appoint special
23 officers or patrolmen for temporary service in
24 addition to the police reserve force herein
25 provided for, but the length of time for which
26 such officers or patrolmen shall be employed
27 shall be limited to the time during which such
28 emergency shall exist.]

2 [84.240. The board of police commissioners
3 shall establish the Bertillon system of
4 identification of criminals and others by means
5 of anthropometric indications, and they are
6 further required to employ such additional
7 assistance as may be necessary to properly
conduct and manage this department.]

2 [84.341. No elected or appointed official
3 of the state or any political subdivision
4 thereof shall act or refrain from acting in any
5 manner to impede, obstruct, hinder, or otherwise
6 interfere with any member of a municipal police
7 force established under sections 84.343 to
8 84.346 in the performance of his or her job
9 duties, or with any aspect of any investigation
10 arising from the performance of such job
11 duties. This section shall not be construed to
12 prevent such officials from acting within the
13 normal course and scope of their employment or
14 from acting to implement sections 84.343 to
15 84.346. Any person who violates this section
16 shall be liable for a penalty of two thousand
17 five hundred dollars for each offense and shall
18 forever be disqualified from holding any office
19 or employment whatsoever with the governmental
20 entity the person served at the time of the
21 violation. The penalty shall not be paid by the
22 funds of any committee as the term committee is
23 defined in section 130.011. This section shall
24 not be construed to interfere with the
25 punishment, under any laws of this state, of a
26 criminal offense committed by such officials,
nor shall this section apply to duly appointed

27 members of the municipal police force, or their
28 appointing authorities, whose conduct is
29 otherwise provided for by law.]

[84.342. 1. It shall be an unlawful
2 employment practice for an official, employee,
3 or agent of a municipal police force established
4 under sections 84.343 to 84.346 to discharge,
5 demote, reduce the pay of, or otherwise
6 retaliate against an employee of the municipal
7 police force for reporting to any superior,
8 government agency, or the press the conduct of
9 another employee that the reporting employee
10 believes, in good faith, is illegal.

11 2. Any employee of the municipal police
12 force may bring a cause of action for general or
13 special damages based on a violation of this
14 section.]

[84.343. 1. Subject to the provisions of
2 sections 84.344 to 84.346, any city not within a
3 county may establish a municipal police force
4 for the purposes of:

5 (1) Preserving the public peace, welfare,
6 and order;

7 (2) Preventing crime and arresting
8 suspected offenders;

9 (3) Enforcing the laws of the state and
10 ordinances of the city;

11 (4) Exercising all powers available to a
12 police force under generally applicable state
13 law; and

14 (5) Regulating and licensing all private
15 watchmen, private detectives, and private
16 policemen serving or acting as such in said city.

17 2. Any person who acts as a private
18 watchman, private detective, or private
19 policeman in said cities without having obtained
20 a written license from said cities is guilty of
21 a class A misdemeanor.]

[84.344. 1. Notwithstanding any
2 provisions of this chapter to the contrary, any
3 city not within a county may establish a
4 municipal police force on or after July 1, 2013,
5 according to the procedures and requirements of
6 this section. The purpose of these procedures

7 and requirements is to provide for an orderly
8 and appropriate transition in the governance of
9 the police force and provide for an equitable
10 employment transition for commissioned and
11 civilian personnel.

12 2. Upon the establishment of a municipal
13 police force by a city under sections 84.343 to
14 84.346, the board of police commissioners shall
15 convey, assign, and otherwise transfer to the
16 city title and ownership of all indebtedness and
17 assets, including, but not limited to, all funds
18 and real and personal property held in the name
19 of or controlled by the board of police
20 commissioners created under sections 84.010 to
21 84.340. The board of police commissioners shall
22 execute all documents reasonably required to
23 accomplish such transfer of ownership and
24 obligations.

25 3. If the city establishes a municipal
26 police force and completes the transfer
27 described in subsection 2 of this section, the
28 city shall provide the necessary funds for the
29 maintenance of the municipal police force.

30 4. Before a city not within a county may
31 establish a municipal police force under this
32 section, the city shall adopt an ordinance
33 accepting responsibility, ownership, and
34 liability as successor-in-interest for
35 contractual obligations, indebtedness, and other
36 lawful obligations of the board of police
37 commissioners subject to the provisions of
38 subsection 2 of section 84.345.

39 5. A city not within a county that
40 establishes a municipal police force shall
41 initially employ, without a reduction in rank,
42 salary, or benefits, all commissioned and
43 civilian personnel of the board of police
44 commissioners created under sections 84.010 to
45 84.340 that were employed by the board
46 immediately prior to the date the municipal
47 police force was established. Such commissioned
48 personnel who previously were employed by the
49 board may only be involuntarily terminated by
50 the city not within a county for cause. The
51 city shall also recognize all accrued years of
52 service that such commissioned and civilian

53 personnel had with the board of police
54 commissioners. Such personnel shall be entitled
55 to the same holidays, vacation, and sick leave
56 they were entitled to as employees of the board
57 of police commissioners.

58 6. Commissioned and civilian personnel of
59 a municipal police force established under this
60 section shall not be subject to a residency
61 requirement of retaining a primary residence in
62 a city not within a county but may be required
63 to maintain a primary residence located within a
64 one-hour response time.

65 7. The commissioned and civilian personnel
66 who retire from service with the board of police
67 commissioners before the establishment of a
68 municipal police force under subsection 1 of
69 this section shall continue to be entitled to
70 the same pension benefits provided under chapter
71 86 and the same benefits set forth in subsection
72 5 of this section.

73 8. If the city not within a county elects
74 to establish a municipal police force under this
75 section, the city shall establish a separate
76 division for the operation of its municipal
77 police force. The civil service commission of
78 the city may adopt rules and regulations
79 appropriate for the unique operation of a police
80 department. Such rules and regulations shall
81 reserve exclusive authority over the
82 disciplinary process and procedures affecting
83 commissioned officers to the civil service
84 commission; however, until such time as the city
85 adopts such rules and regulations, the
86 commissioned personnel shall continue to be
87 governed by the board of police commissioner's
88 rules and regulations in effect immediately
89 prior to the establishment of the municipal
90 police force, with the police chief acting in
91 place of the board of police commissioners for
92 purposes of applying the rules and regulations.
93 Unless otherwise provided for, existing civil
94 service commission rules and regulations
95 governing the appeal of disciplinary decisions
96 to the civil service commission shall apply to
97 all commissioned and civilian personnel. The
98 civil service commission's rules and regulations

99 shall provide that records prepared for
100 disciplinary purposes shall be confidential,
101 closed records available solely to the civil
102 service commission and those who possess
103 authority to conduct investigations regarding
104 disciplinary matters pursuant to the civil
105 service commission's rules and regulations. A
106 hearing officer shall be appointed by the civil
107 service commission to hear any such appeals that
108 involve discipline resulting in a suspension of
109 greater than fifteen days, demotion, or
110 termination, but the civil service commission
111 shall make the final findings of fact,
112 conclusions of law, and decision which shall be
113 subject to any right of appeal under chapter 536.

114 9. A city not within a county that
115 establishes and maintains a municipal police
116 force under this section:

117 (1) Shall provide or contract for life
118 insurance coverage and for insurance benefits
119 providing health, medical, and disability
120 coverage for commissioned and civilian personnel
121 of the municipal police force to the same extent
122 as was provided by the board of police
123 commissioners under section 84.160;

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

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

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

150 10. A city not within a county that
151 establishes a municipal police force under
152 sections 84.343 to 84.346 shall establish a
153 transition committee of five members for the
154 purpose of: coordinating and implementing the
155 transition of authority, operations, assets, and
156 obligations from the board of police
157 commissioners to the city; winding down the
158 affairs of the board; making nonbinding
159 recommendations for the transition of the police
160 force from the board to the city; and other
161 related duties, if any, established by executive
162 order of the city's mayor. Once the ordinance
163 referenced in this section is enacted, the city
164 shall provide written notice to the board of
165 police commissioners and the governor of the
166 state of Missouri. Within thirty days of such
167 notice, the mayor shall appoint three members to
168 the committee, two of whom shall be members of a
169 statewide law enforcement association that
170 represents at least five thousand law
171 enforcement officers. The remaining members of
172 the committee shall include the police chief of
173 the municipal police force and a person who
174 currently or previously served as a commissioner
175 on the board of police commissioners, who shall
176 be appointed to the committee by the mayor of
177 such city.]

2 [84.345. 1. Except as required for the
3 board of police commissioners to conclude its
4 affairs and pursue legal claims and defenses,
5 upon the establishment of a municipal police
6 force, the terms of office of the commissioners
7 of the board of police created under sections
8 84.020 and 84.030 shall expire, and the
9 provisions of sections 84.010 to 84.340 shall
10 not apply to any city not within a county or its
11 municipal police force as of such date. The
12 board shall continue to operate, if necessary,
to wind down the board's affairs until the

13 transfer of ownership and obligations under
14 subsection 2 of section 84.344 has been
15 completed. During such time, the board of
16 police commissioners shall designate and
17 authorize its secretary to act on behalf of the
18 board for purposes of performing the board's
19 duties and any other actions incident to the
20 transfer and winding down of the board's affairs.

21 2. For any claim, lawsuit, or other action
22 arising out of actions occurring before the date
23 of completion of the transfer provided under
24 subsection 2 of section 84.344, the state shall
25 continue to provide legal representation as set
26 forth in section 105.726, and the state legal
27 expense fund shall continue to provide
28 reimbursement for such claims under section
29 105.726. This subsection applies to all claims,
30 lawsuits, and other actions brought against any
31 commissioner, police officer, employee, agent,
32 representative, or any individual or entity
33 acting or purporting to act on its or their
34 behalf.

35 3. Notwithstanding any other provision of
36 law, rule, or regulation to the contrary, any
37 city not within a county that establishes a
38 municipal police force under sections 84.343 to
39 84.346 shall not be restricted or limited in any
40 way in the selection of a police chief or chief
41 of the division created under subsection 8 of
42 section 84.344.

43 4. It shall be the duty of the sheriff for
44 any city not within a county, whenever called
45 upon by the police chief of the municipal police
46 force, to act under the police chief's control
47 for the preservation of the public peace and
48 quiet; and, whenever the exigency or
49 circumstances may, in the police chief's
50 judgment, warrant it, said police chief shall
51 have the power to assume the control and command
52 of all local and municipal conservators of the
53 peace of the city, whether sheriff, constable,
54 policemen or others, and they shall act under
55 the orders of the said police chief and not
56 otherwise.]

2 [84.346. Any police pension system created
3 under chapter 86 for the benefit of a police
4 force established under sections 84.010 to
5 84.340 shall continue to be governed by chapter
6 86, and shall apply to any police force
7 established under section 84.343 to 84.346.
8 Other than any provision that makes chapter 86
9 applicable to a municipal police force
10 established under section 84.343 to 84.346,
11 nothing in sections 84.343 to 84.346 shall be
12 construed as limiting or changing the rights or
benefits provided under chapter 86.]

2 [84.347. Notwithstanding the provisions of
3 section 1.140 to the contrary, the provisions of
4 sections 84.343 to 84.346 shall be
5 nonseverable. If any provision of sections
6 84.343 to 84.346 is for any reason held to be
7 invalid, such decision shall invalidate all of
the remaining provisions of this act.]

2 [217.825. Sections 217.825 to 217.841
3 shall be known and may be cited as the "Missouri
4 Incarceration Reimbursement Act".]

2 [217.827. As used in sections 217.825 to
3 217.841, the following terms shall mean:
4 (1) (a) "Assets", property, tangible or
5 intangible, real or personal, belonging to or
6 due an offender or a former offender, including
7 income or payments to such offender from Social
8 Security, workers' compensation, veterans'
9 compensation, pension benefits, previously
10 earned salary or wages, bonuses, annuities,
11 retirement benefits, or from any other source
12 whatsoever, including any of the following:
13 a. Money or other tangible assets received
14 by the offender as a result of a settlement of a
15 claim against the state, any agency thereof, or
16 any claim against an employee or independent
17 contractor arising from and in the scope of said
18 employee's or contractor's official duties on
19 behalf of the state or any agency thereof;
20 b. A money judgment received by the
21 offender from the state as a result of a civil
22 action in which the state, an agency thereof or
any state employee or independent contractor

23 where such judgment arose from a claim arising
24 from the conduct of official duties on behalf of
25 the state by said employee or subcontractor or
26 for any agency of the state;

27 c. A current stream of income from any
28 source whatsoever, including a salary, wages,
29 disability, retirement, pension, insurance or
30 annuity benefits or similar payments;

31 (b) "Assets" shall not include:

32 a. The homestead of the offender up to
33 fifty thousand dollars in value;

34 b. Money saved by the offender from wages
35 and bonuses up to two thousand five hundred
36 dollars paid the offender while he or she was
37 confined to a state correctional center;

38 (2) "Cost of care", the cost to the
39 department of corrections for providing
40 transportation, room, board, clothing, security,
41 medical, and other normal living expenses of
42 offenders under the jurisdiction of the
43 department, as determined by the director of the
44 department;

45 (3) "Department", the department of
46 corrections of this state;

47 (4) "Director", the director of the
48 department;

49 (5) "Offender", any person who is under
50 the jurisdiction of the department and is
51 confined in any state correctional center or is
52 under the continuing jurisdiction of the
53 department;

54 (6) "State correctional center", a
55 facility or institution which houses an offender
56 population under the jurisdiction of the
57 department. State correctional center includes
58 a correctional camp, community correction
59 center, honor center, or state prison.]

[217.829. 1. The department shall develop
2 a form which shall be used by the department to
3 obtain information from all offenders regarding
4 their assets.

5 2. The form shall be submitted to each
6 offender as of the date the form is developed
7 and to every offender who thereafter is
8 sentenced to imprisonment under the jurisdiction

9 of the department. The form may be resubmitted
10 to an offender by the department for purposes of
11 obtaining current information regarding assets
12 of the offender.

13 3. Every offender shall complete the form
14 or provide for completion of the form and the
15 offender shall swear or affirm under oath that
16 to the best of his or her knowledge the
17 information provided is complete and accurate.
18 Any person who shall knowingly provide false
19 information on said form to state officials or
20 employees shall be guilty of the crime of making
21 a false affidavit as provided by section 575.050.

22 4. Failure by an offender to fully,
23 adequately and correctly complete the form may
24 be considered by the parole board for purposes
25 of a parole determination, and in determining an
26 offender's parole release date or eligibility
27 and shall constitute sufficient grounds for
28 denial of parole.

29 5. Prior to release of any offender from
30 imprisonment, and again prior to release from
31 the jurisdiction of the department, the
32 department shall request from the offender an
33 assignment of ten percent of any wages, salary,
34 benefits or payments from any source. Such an
35 assignment shall be valid for the longer period
36 of five years from the date of its execution, or
37 five years from the date that the offender is
38 released from the jurisdiction of the department
39 or any of its divisions or agencies. The
40 assignment shall secure payment of the total
41 cost of care of the offender executing the
42 assignment. The restrictions on the maximum
43 amount of earnings subject to garnishment
44 contained in section 525.030 shall apply to
45 earnings subject to assignments executed
46 pursuant to this subsection.]

2 [217.831. 1. The director shall forward
3 to the attorney general a report on each
4 offender containing a completed form pursuant to
5 the provisions of section 217.829 together with
6 all other information available on the assets of
7 the offender and an estimate of the total cost
of care for that offender.

8 2. The attorney general may investigate or
9 cause to be investigated all reports furnished
10 pursuant to the provisions of subsection 1 of
11 this section. This investigation may include
12 seeking information from any source that may
13 have relevant information concerning an
14 offender's assets. The director shall provide
15 all information possessed by the department and
16 its divisions and agencies, upon request of the
17 attorney general, in order to assist the
18 attorney general in completing his duties
19 pursuant to sections 217.825 to 217.841.

20 3. If the attorney general upon completing
21 the investigation under subsection 2 of this
22 section has good cause to believe that an
23 offender or former offender has sufficient
24 assets to recover not less than ten percent of
25 the estimated cost of care of the offender or
26 ten percent of the estimated cost of care of the
27 offender for two years, whichever is less, or
28 has a stream of income sufficient to pay such
29 amounts within a five-year period, the attorney
30 general may seek to secure reimbursement for the
31 expense of the state of Missouri for the cost of
32 care of such offender or former offender.

33 4. The attorney general, or any
34 prosecuting attorney on behalf of the attorney
35 general, shall not bring an action pursuant to
36 this section against an offender or former
37 offender after the expiration of five years
38 after his release from the jurisdiction of the
39 department.]

[217.833. 1. Not more than ninety percent
2 of the value of the assets of the offender may
3 be used for purposes of securing costs and
4 reimbursement pursuant to the provisions of
5 sections 217.825 to 217.841.

6 2. The amount of reimbursement sought from
7 an offender shall not be in excess of the per
8 capita cost for care for maintaining offenders
9 in the state correctional center in which the
10 offender is housed for the period or periods
11 such offender is an offender in a state
12 correctional center.]

2 [217.835. 1. The circuit court shall have
3 exclusive jurisdiction over all proceedings
4 seeking reimbursement from offenders pursuant to
5 the provisions of sections 217.825 to 217.841.
6 The attorney general may file a complaint in the
7 circuit court for the county or city from which
8 a prisoner was sentenced or in the circuit court
9 in the county or city of the office of the
10 director of the department, against any person
11 under the jurisdiction of the department stating
12 that the person is or has been an offender in a
13 state correctional center, that there is good
14 cause to believe that the person has assets, and
15 praying that the assets be used to reimburse the
16 state for the expenses incurred or to be
17 incurred, or both, by the state for the cost of
18 care of the person as an offender.

19 2. Upon the filing of the complaint under
20 subsection 1 of this section, the court shall
21 issue an order to show cause why the prayer of
22 the complainant should not be granted. The
23 complaint and order shall be served upon the
24 person personally, or, if the person is confined
25 in a state correctional center, by registered
26 mail addressed to the person in care of the
27 chief administrator of the state correctional
28 center where the person is housed, at least
29 thirty days before the date of hearing on the
30 complaint and order.

31 3. At the time of the hearing on the
32 complaint and order, if it appears that the
33 person has any assets which ought to be
34 subjected to the claim of the state pursuant to
35 the provisions of sections 217.825 to 217.841,
36 the court shall issue an order requiring any
37 person, corporation, or other legal entity
38 possessed or having custody of such assets, to
39 appropriate and apply such assets or a portion
40 thereof to satisfy such claim.

41 4. At the hearing on the complaint and
42 order and before entering any order on behalf of
43 the state against the defendant, the court shall
44 take into consideration any legal obligation of
45 the defendant to support a spouse, minor
46 children, or other dependents and any moral
obligation to support dependents to whom the

47 defendant is providing or has in fact provided
48 support.

49 5. If the person, corporation, or other
50 legal entity shall neglect or refuse to comply
51 with an order issued pursuant to subsection 3 of
52 this section, the court shall order the person,
53 corporation, or other legal entity to appear
54 before the court at such time as the court may
55 direct and to show cause why the person,
56 corporation, or other legal entity should not be
57 considered in contempt of court.

58 6. If, in the opinion of the court, the
59 assets of the prisoner are sufficient to pay the
60 cost of the proceedings undertaken pursuant to
61 the provisions of sections 217.825 to 217.841,
62 the prisoner shall be liable for those costs
63 upon order of the court.]

[217.837. 1. Except as provided in
2 subsection 3 of this section, the attorney
3 general may use any remedy, interim order, or
4 enforcement procedure allowed by law or court
5 rule including an ex parte restraining order to
6 restrain the prisoner or any other person or
7 legal entity in possession or having custody of
8 the estate of the prisoner from disposing of
9 certain property in avoidance of an order issued
10 pursuant to the provisions of section 217.835.

11 2. To protect and maintain assets pending
12 resolution of proceedings initiated pursuant to
13 the provisions of section 217.835, the court,
14 upon request, may appoint a receiver.

15 3. The attorney general or a prosecuting
16 attorney shall not enforce any judgment obtained
17 pursuant to the provisions of section 217.835 by
18 means of execution against the homestead of the
19 prisoner.

20 4. The state's right to recover the cost
21 of incarceration pursuant to an order issued
22 pursuant to the provisions of section 217.835
23 shall have priority over all other liens, debts,
24 or other incumbrances against real property or
25 any other assets which are part of a prisoner's
26 estate.]

[217.839. 1. The attorney general of this
2 state shall enforce the provisions of sections

3 217.825 to 217.841, except that the attorney
4 general may request the prosecuting attorney of
5 the county or city in which the offender was
6 sentenced or the prosecuting attorney of the
7 county or city in which any asset of an offender
8 is located to make an investigation or assist in
9 legal proceedings undertaken pursuant to the
10 provisions of sections 217.825 to 217.841.

11 2. The sentencing judge, the sheriff, the
12 county or city, the chief administrator of the
13 state correctional center, and the state
14 treasurer shall furnish to the attorney general
15 or prosecuting attorney all information and
16 assistance possible to enable the attorney
17 general or prosecuting attorney to secure
18 reimbursement for the state pursuant to the
19 provisions of sections 217.825 to 217.841.

20 3. Notwithstanding the provisions of any
21 other law protecting the confidentiality of any
22 information possessed by the state, its
23 officials and agencies, the secretary of state,
24 the director of the department of revenue, the
25 director of the department of social services,
26 the director of the department of corrections,
27 the director of the department of labor and
28 industrial relations, the director of the
29 department of public safety, and the
30 commissioner of administration, and each
31 division or agency within or assigned to such
32 departments, shall provide the attorney general
33 or prosecuting attorney with all information
34 requested pursuant to the provisions of sections
35 217.825 to 217.841.

36 4. Any county or municipal official having
37 custody of records of the estate or real
38 property of any offender or former offender
39 shall surrender said records or certified copies
40 thereof without fee to the attorney general or
41 prosecuting attorney who request such records
42 pursuant to the provisions of sections 217.825
43 to 217.841.]

[217.841. 1. The costs of any
2 investigations shall be paid from the
3 reimbursements secured pursuant to the
4 provisions of sections 217.825 to 217.841. The

5 investigative costs shall be presumed to be
6 twenty percent of the reimbursements recovered,
7 unless the attorney general shall demonstrate to
8 the court otherwise. All reimbursements
9 collected shall be paid to the "Inmate
10 Incarceration Reimbursement Act Revolving Fund",
11 which is hereby established in the state
12 treasury. Moneys in the inmate incarceration
13 reimbursement act revolving fund shall be
14 appropriated to the attorney general in order to
15 defray the costs of the attorney general in
16 connection with his duties provided by sections
17 217.825 to 217.841; and all remaining balances
18 shall be appropriated to the department for
19 purposes of construction and operation of state
20 correctional facilities. The provisions of
21 section 33.080 notwithstanding, moneys in the
22 inmate incarceration reimbursement act revolving
23 fund shall not lapse, be transferred or
24 appropriated to or placed to the credit of the
25 general revenue fund or any other fund of the
26 state.

27 2. The state treasurer may determine the
28 amount due the state for the cost of care of an
29 offender and render statements thereof and such
30 sworn statements shall be considered prima facie
31 evidence of the amount due.]

 Section B. In order to ensure the continued operation
2 of a police force in the city of St. Louis for the safety
3 and well being of the citizens of the city of St. Louis, the
4 repeal of sections 84.175, 84.240, 84.341, 84.342, 84.343,
5 84.344, 84.345, 84.346, and 84.347, the repeal and
6 reenactment of sections 84.020, 84.030, 84.100, 84.150,
7 84.160, 84.170 and 105.726, and the enactment of sections
8 84.225 and 84.325 of this act is deemed necessary for the
9 immediate preservation of the public health, welfare, peace,
10 and safety, and is hereby declared to be an emergency act
11 within the meaning of the constitution, and the repeal of
12 sections 84.175, 84.240, 84.341, 84.342, 84.343, 84.344,
13 84.345, 84.346, and 84.347, the repeal and reenactment of

14 sections 84.020, 84.030, 84.100, 84.150, 84.160, 84.170 and
15 105.726, and the enactment of sections 84.225 and 84.325 of
16 this act shall be in full force and effect upon its passage
17 and approval.