

SENATE BILL NO. 583

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR GREGORY (15).

1995S.02I

KRISTINA MARTIN, Secretary

AN ACT

To repeal section 43.505, RSMo, and to enact in lieu thereof one new section relating to collecting the immigration status of criminal offenders.

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

Section A. Section 43.505, RSMo, is repealed and one new
2 section enacted in lieu thereof, to be known as section 43.505,
3 to read as follows:

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.

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