

SECOND REGULAR SESSION

HOUSE BILL NO. 1245

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES SCHLOTTACH (Sponsor), AND KELLY (36) (Co-sponsor).

Read 1st time January 26, 2004, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

4088L.011

AN ACT

To repeal section 590.030, RSMo, and to enact in lieu thereof two new sections relating to licensing of peace officers.

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

Section A. Section 590.030, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 590.030 and 590.055, to read as follows:

590.030. 1. The POST commission shall establish minimum standards for the basic training of peace officers. Such standards may vary for each class of license established pursuant to subsection 2 of section 590.020.

2. [The] **Except as provided in section 590.055, the** director shall establish minimum age, citizenship, and general education requirements and may require a qualifying score on a certification examination as conditions of eligibility for a peace officer license.

3. The director shall provide for the licensure, with or without additional basic training, of peace officers possessing credentials by other states or jurisdictions, including federal and military law enforcement officers.

4. The director shall establish a procedure for obtaining a peace officer license and shall issue the proper license when the requirements of this chapter have been met.

5. As conditions of licensure, all licensed peace officers shall:

(1) Obtain continuing law enforcement education pursuant to rules to be promulgated by the POST commission, **except that peace officers licensed pursuant to section 590.055 shall only be required to obtain continuing law enforcement education pursuant to the requirements of that section;** and

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law. Matter in boldface type in the above law is proposed language.

17 (2) Maintain a current address of record on file with the director.

18 6. A peace officer license shall automatically expire if the licensee fails to hold a
19 commission as a peace officer for a period of five consecutive years, provided that the POST
20 commission shall provide for the relicensure of such persons and **except as otherwise provided**
21 **in section 590.055**, may require retraining as a condition of eligibility for relicensure, and
22 provided that the director may provide for the continuing licensure, subject to restrictions, of
23 persons who hold and exercise a law enforcement commission requiring a peace officer license
24 but not meeting the definition of a peace officer pursuant to this chapter.

590.055. 1. Notwithstanding any other provision of law the director shall grant a
2 **temporary peace officer license to any applicant for such temporary license if the applicant**
3 **meets the following qualifications:**

4 (1) **The applicant has previously served as a reserve peace officer, a certified peace**
5 **officer, a licensed peace officer, or has served in a law enforcement type position in the**
6 **military for a period of at least one year;**

7 (2) **The applicant has in the past successfully completed a minimum of one hundred**
8 **twenty hours of law enforcement training;**

9 (3) **The applicant passes a criminal history records check;**

10 (4) **The applicant has a letter specifying an offer of employment with a law**
11 **enforcement agency if such applicant is successful in receiving a temporary peace officer**
12 **license.**

13 2. **The director shall establish a procedure for obtaining a peace officer license and**
14 **shall issue the proper license when the requirements of this chapter have been met.**

15 3. **A temporary peace officer license is valid for up to one year from the date issued**
16 **and authorizes the person holding such license to work as a peace officer for up to one**
17 **hundred twenty hours provided, however, that such person must be working at all times**
18 **during that one hundred twenty hour period with a licensed peace officer or training**
19 **officer and provided that such person must work a minimum of thirty-six hours per each**
20 **quarter worked.**

21 4. **Once the holder of a temporary peace officer's license has worked one hundred**
22 **and twenty hours pursuant to subsection 3 of this section such person is eligible to take a**
23 **test to receive a peace officer's license without receiving any additional training. The test**
24 **to receive such peace officer license shall be developed and administered by the POST**
25 **commission, shall contain no more than one hundred thirty-five questions, and may be**
26 **taken up to a maximum of three times.**

27 5. **Any temporary peace officer license holder who later receives a peace officer's**
28 **license pursuant to the provisions of this section is exempt from normal continuing**

29 **education requirements and shall only be required to do the following:**

30 **(1) Receive a minimum of twenty-four hours of law enforcement training every**
31 **three years; and**

32 **(2) Receive training in homeland security.**