

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 932
94TH GENERAL ASSEMBLY

Reported from the Committee on Crime Prevention and Public Safety April 10, 2008 with recommendation that House Committee Substitute for Senate Bill No. 932 Do Pass. Referred to the Committee on Rules pursuant to Rule 25(21)(f).

D. ADAM CRUMBLISS, Chief Clerk

3601L.03C

AN ACT

To repeal sections 590.050 and 650.120, RSMo, and to enact in lieu thereof two new sections relating to Internet sex crimes investigation grant program.

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

Section A. Sections 590.050 and 650.120, RSMo, are repealed and two new sections
2 enacted in lieu thereof, to be known as sections 590.050 and 650.120, to read as follows:

590.050. 1. The POST commission shall establish requirements for the continuing
2 education of all peace officers. Peace officers who make traffic stops shall be required to receive
3 [annual training] **three hours of training within the law enforcement continuing education**
4 **three-year reporting period** concerning the prohibition against racial profiling and such
5 training shall promote understanding and respect for racial and cultural differences and the use
6 of effective, noncombative methods for carrying out law enforcement duties in a racially and
7 culturally diverse environment.

8 2. The director shall license continuing education providers and may probate, suspend
9 and revoke such licenses upon written notice stating the reasons for such action. Any person
10 aggrieved by a decision of the director pursuant to this subsection may appeal as provided in
11 chapter 536, RSMo.

12 3. The costs of continuing law enforcement education shall be reimbursed in part by
13 moneys from the peace officer standards and training commission fund created in section
14 590.178, subject to availability of funds, except that no such funds shall be used for the training

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

15 of any person not actively commissioned or employed by a county or municipal law enforcement
16 agency.

17 4. The director may engage in any activity intended to further the professionalism of
18 peace officers through training and education, including the provision of specialized training
19 through the department of public safety.

650.120. 1. **There is hereby created in the state treasury the "Cyber Crime
2 Investigation Fund". The treasurer shall be custodian of the fund and may approve
3 disbursements from the fund in accordance with sections 30.170 and 30.180, RSMo.
4 Beginning with the 2010 fiscal year and in each subsequent fiscal year, the general
5 assembly shall appropriate three million dollars to the cyber crime investigation fund. The
6 department of public safety shall be the administrator of the fund. Moneys in the fund
7 shall be used solely for the administration of the grant program established under this
8 section. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, any
9 moneys remaining in the fund at the end of the biennium shall not revert to the credit of
10 the general revenue fund. The state treasurer shall invest moneys in the fund in the same
11 manner as other funds are invested. Any interest and moneys earned on such investments
12 shall be credited to the fund.**

13 2. Subject to appropriation, the department of public safety shall create a program to
14 distribute grants to multijurisdictional Internet cyber crime law enforcement task forces,
15 multijurisdictional enforcement groups, as defined in section 195.503, RSMo, that are
16 investigating Internet sex crimes against children, and other law enforcement agencies. **The
17 program shall be funded by the cyber crime investigation fund created under subsection
18 1 of this section.** Not more than three percent of the money [appropriated] **in the fund** may be
19 used by the department to pay the administrative costs of the grant program. The grants shall be
20 awarded and used to pay the salaries of detectives and computer forensic personnel whose focus
21 is investigating Internet sex crimes against children, including but not limited to enticement of
22 a child, possession or promotion of child pornography, provide funding for the training of law
23 enforcement personnel **and prosecuting and circuit attorneys as well as their assistant
24 prosecuting and circuit attorneys**, and purchase necessary equipment, supplies, and services.
25 The funding for such training may be used to cover the travel expenses of those persons
26 participating.

27 [2.] 3. A panel is hereby established in the department of public safety to award grants
28 under this program and shall be comprised of the following members:

- 29 (1) The director of the department of public safety, or his or her designee;
30 (2) Two members shall be appointed by the director of the department of public safety
31 from a list of six nominees submitted by the Missouri Police Chiefs Association;

32 (3) Two members shall be appointed by the director of the department of public safety
33 from a list of six nominees submitted by the Missouri Sheriffs' Association;

34 (4) Two members of the state highway patrol shall be appointed by the director of the
35 department of public safety from a list of six nominees submitted by the Missouri State Troopers
36 Association;

37 (5) One member of the house of representatives who shall be appointed by the speaker
38 of the house of representatives; and

39 (6) One member of the senate who shall be appointed by the president pro tem.
40

41 The panel members who are appointed under subdivisions (2), (3), and (4) of this subsection
42 shall serve a four-year term ending four years from the date of expiration of the term for which
43 his or her predecessor was appointed. However, a person appointed to fill a vacancy prior to the
44 expiration of such a term shall be appointed for the remainder of the term. Such members shall
45 hold office for the term of his or her appointment and until a successor is appointed. The
46 members of the panel shall receive no additional compensation but shall be eligible for
47 reimbursement for mileage directly related to the performance of panel duties.

48 [3.] 4. Local matching amounts, which may include new or existing funds or in-kind
49 resources including but not limited to equipment or personnel, are required for
50 multijurisdictional Internet cyber crime law enforcement task forces and other law enforcement
51 agencies to receive grants awarded by the panel. Such amounts shall be determined by the state
52 appropriations process or by the panel.

53 [4.] 5. When awarding grants, priority should be given to newly hired detectives and
54 computer forensic personnel.

55 [5.] 6. The panel shall establish minimum training standards for detectives and computer
56 forensic personnel participating in the grant program established in subsection 1 of this section.

57 [6.] 7. Multijurisdictional Internet cyber crime law enforcement task forces and other law
58 enforcement agencies participating in the grant program established in subsection [1] 2 of this
59 section shall share information and cooperate with the highway patrol and with existing Internet
60 crimes against children task force programs.

61 [7.] 8. The panel may make recommendations to the general assembly regarding the need
62 for additional resources or appropriations.

63 [8.] 9. The power of arrest of any peace officer who is duly authorized as a member of
64 a multijurisdictional Internet cyber crime law enforcement task force shall only be exercised
65 during the time such peace officer is an active member of such task force and only within the
66 scope of the investigation on which the task force is working. Notwithstanding other provisions
67 of law to the contrary, such task force officer shall have the power of arrest, as limited in this

68 subsection, anywhere in the state and shall provide prior notification to the chief of police of a
69 municipality or the sheriff of the county in which the arrest is to take place. If exigent
70 circumstances exist, such arrest may be made and notification shall be made to the chief of police
71 or sheriff as appropriate and as soon as practical. The chief of police or sheriff may elect to work
72 with the multijurisdictional Internet cyber crime law enforcement task force at his or her option
73 when such task force is operating within the jurisdiction of such chief of police or sheriff.

74 [9.] **10.** Under section 23.253, RSMo, of the Missouri sunset act:

75 (1) The provisions of the new program authorized under this section shall sunset
76 automatically six years after June 5, 2006, unless reauthorized by an act of the general assembly;
77 and

78 (2) If such program is reauthorized, the program authorized under this section shall
79 sunset automatically twelve years after the effective date of the reauthorization of this section;
80 and

81 (3) This section shall terminate on September first of the calendar year immediately
82 following the calendar year in which the program authorized under this section is sunset.

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