

SECOND REGULAR SESSION

HOUSE BILL NO. 1458

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES ROORDA (Sponsor), CHAPPELLE-NADAL,
BOWMAN AND OXFORD (Co-sponsors).

Pre-filed December 18, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

3653L.01I

AN ACT

To amend chapter 650, RSMo, by adding thereto one new section relating to the Reverend Nathaniel Cole memorial pursuit reduction grant.

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

Section A. Chapter 650, RSMo, is amended by adding thereto one new section, to be
2 known as section 650.470, to read as follows:

- 650.470. 1. **There is hereby created in the state treasury the "Reverend Nathaniel
2 Cole Memorial Pursuit Reduction Grant", which shall consist of all moneys duly
3 authorized and appropriated by the general assembly, all moneys received from federal
4 funds, gifts, bequests, donations, and any other moneys so designated, and all interest
5 earned on and income generated from moneys in the fund. The state treasurer shall be the
6 custodian of the fund and shall approve disbursements from the fund in accordance with
7 sections 30.170 and 30.180, RSMo. Moneys in the fund shall be used solely to provide
8 grants in the amount of a fifty percent match to urban police departments which purchase
9 real-time tagging and tracking pursuit management systems.**
- 10 2. **Notwithstanding the provisions of section 33.080, RSMo, to the contrary, any
11 moneys remaining in the fund at the end of the biennium shall not revert to the credit of
12 the general revenue fund.**
- 13 3. **The state treasurer shall invest moneys in the fund in the same manner as other
14 funds are invested.**

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 4. Only urban police departments which have a pursuit policy in place that is
16 consistent with the state laws governing police pursuits shall be eligible for such grants.
17 The director of the department of public safety shall determine an applicant's eligibility
18 according to the requirements of this subsection and shall disqualify from consideration
19 any urban police department that is not in compliance with state laws governing police
20 pursuit.

21 5. Applications for matching grants shall be filed with the department of public
22 safety on forms prescribed and furnished by the director of the department of public
23 safety. The applications shall include the number of pursuits engaged in by the applicant
24 department per year for each of the five years preceding the application.

25 6. The director shall approve all applications which are not disqualified under the
26 provisions of subsection 4 of this section. If funding is not sufficient to award grants to all
27 eligible applicants who were not disqualified by the director of the department of public
28 safety then the director shall determine which applicants shall be awarded grants on the
29 basis of need. Need shall be determined by the average number of pursuits engaged in by
30 a department over the five years preceding application with grants being awarded first to
31 those applicants with the highest average number of pursuits per year. The director shall
32 continue to award grants based on need until funds dip below the dollar amount needed
33 to provide a fifty percent match to the next applicant.

34 7. The director of the department of public safety shall administer the provisions
35 of this section and may adopt all rules and regulations necessary to administer the
36 provisions of this section. Any rule or portion of a rule, as that term is defined in section
37 536.010, RSMo, that is created under the authority delegated in this section shall become
38 effective only if it complies with and is subject to all of the provisions of chapter 536,
39 RSMo, and, if applicable, section 536.028, RSMo. The provisions of this section are
40 nonseverable and if any of the powers vested with the general assembly under chapter 536,
41 RSMo, to review, to delay the effective date, or to disapprove and annul a rule are
42 subsequently held unconstitutional, then the grant of rulemaking authority and any rule
43 proposed or adopted after August 28, 2008, shall be invalid and void.

44 8. As used in this section the following terms shall mean:

45 (1) "Real-time tagging and tracking pursuit management system", any system
46 which deploys a projectile that attaches to a fleeing vehicle during police pursuit and can
47 be monitored in real-time using GPS technology;

48 (2) "Urban police department", any police department, sheriffs' department, or
49 law enforcement agency which is located in a metropolitan area in this state with a
50 population of at least four hundred thousand inhabitants.