

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2117
94TH GENERAL ASSEMBLY

Reported from the Special Committee on Urban Issues March 13, 2008 with recommendation that House Committee Substitute for House Bill No. 2117 Do Pass. Referred to the Committee on Rules pursuant to Rule 25(21)(f).

D. ADAM CRUMBLISS, Chief Clerk

4019L.02C

AN ACT

To repeal section 84.010, RSMo, and to enact in lieu thereof five new sections relating to the St. Louis and Kansas City police forces.

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

Section A. Section 84.010, RSMo, is repealed and five new sections enacted in lieu
2 thereof, to be known as sections 84.010, 84.341, 84.342, 84.343, and 84.344, to read as follows:
84.010. **1.** In all cities of this state that now have, or may hereafter attain, a population
2 of [seven] **four** hundred thousand inhabitants or over, the common council or municipal
3 assembly, as the case may be, of such cities may pass ordinances for preserving order, securing
4 property and persons from violence, danger or destruction, protecting public and private
5 property, and for promoting the interests and insuring the good government of the cities; but no
6 ordinances heretofore passed, or that may hereafter be passed, by the common council or
7 municipal assembly of the cities, shall, in any manner, conflict or interfere with the powers or
8 the exercise of the powers of the boards of police commissioners of the cities as created by
9 section 84.020, nor shall the cities or any officer or agent of the corporation of the cities, or the
10 mayor thereof, in any manner impede, obstruct, hinder or interfere with the boards of police or
11 any officer, or agent or servant thereof or thereunder, except that in any case of emergency
12 imminently imperiling the lives, health or safety of the inhabitants of the city, the mayor may call
13 upon and direct the chief of police of the city to provide such number of officers and patrolmen
14 to meet the emergency as the mayor determines to be necessary and the chief of police shall

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 continue to act under the direction of the mayor until the emergency has ceased, or until the
16 board of police commissioners takes charge of such matter.

17 **2. Notwithstanding any provision of subsection 1 of this section or any other law**
18 **to the contrary, as of August 28, 2008, any city not within a county and any home rule city**
19 **with more than four hundred thousand inhabitants and located in more than one county**
20 **may establish by ordinance, and thereafter maintain, a municipal police force under**
21 **sections 84.341 to 84.344.**

84.341. Any city not within a county and any home rule city with more than four
2 **hundred thousand inhabitants and located in more than one county may establish by**
3 **ordinance a municipal police force for the purposes of:**

- 4 (1) Preserving the public peace, welfare, and order;
- 5 (2) Preventing crime and arresting suspected offenders;
- 6 (3) Enforcing the laws of the state and ordinances of the city;
- 7 (4) Exercising all powers available to a police force under generally applicable state
8 law; and
- 9 (5) Regulating and licensing all private watchmen, private detectives, and private
10 policemen serving or acting as such in such cities.

11
12 **No person shall act as a private watchman, private detective, or private policeman in such**
13 **cities without first having obtained a written license from such police force.**

84.342. 1. Any ordinance adopted under section 84.341 shall provide for the
2 **employment in the municipal police force, immediately upon the effective date of the**
3 **establishment of the municipal police force, of all officers and employees of any police force**
4 **previously established under sections 84.010 to 84.340 at their then current salaries, and**
5 **for their entitlement to all accrued benefits, including but not limited to, vacation time, sick**
6 **leave, and health insurance. Any such ordinance shall be consistent with any regulation**
7 **concerning residence of police officers adopted by the board of police commissioners under**
8 **sections 84.020 and 84.030 before the adoption of such ordinance.**

9 **2. After the establishment of a municipal police force under section 84.341, the city**
10 **may provide by ordinance for the number and ranks of police officers, for such officers'**
11 **compensation and benefits, and for the appointment, promotion, suspension, demotion, or**
12 **discharge of members of the police force and of the police chief.**

84.343. Immediately upon the adoption by a city not within a county and any home
2 **rule city with more than four hundred thousand inhabitants and located in more than one**
3 **county of an ordinance establishing a municipal police force under section 84.341, the clerk**
4 **of such city shall file a certified copy of such ordinance with the secretary of state. The**

5 provisions of subsection 1 of section 84.010 and sections 84.015 to 84.340 and the terms of
6 office of the commissioners of the board of police under sections 84.020 and 84.030 shall
7 expire upon the effective date of the establishment of a municipal police force as provided
8 in such ordinance. The city shall provide notice of the establishment of the ordinance and
9 expiration of such sections to the revisor of statutes.

84.344. Any police pension system for members of a police force established under
2 sections 84.010 to 84.343 shall continue to be governed by chapter 86, RSMo.

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