

HCS HB 1540 -- PUBLIC SAFETY

SPONSOR: Fitzwater

COMMITTEE ACTION: Voted "Do Pass" by the Committee on Crime Prevention and Public Safety by a vote of 11 to 3.

This bill changes the law regarding public safety. In its main provisions, the bill:

- (1) Moves the authority to regulate corporate security advisors from the Board of Police Commissioners to the Department of Public Safety;
- (2) Includes removing any less lethal weapon, to include blunt impact, chemical or conducted energy devices used in the performance of his or her official duties to the crime of disarming a peace officer;
- (3) Specifies that a person commits the crime of false identification to a law enforcement officer, a class B misdemeanor, if he or she falsely represents or identifies himself or herself as another person or as a fictitious person to a law enforcement officer upon a lawful stop or detention or upon an arrest for the purpose of evading the process of the court or the proper identification of the person if the false information is given while the officer is engaged in the performance of his or her duties and the person providing the false information knows or should have known that the person receiving the information is an officer;
- (4) Specifies that it is a defense to a prosecution if the person retracts the false statement or report before the officer or any other person took substantial action in its reliance;
- (5) Expands the crime of making a false declaration with the purpose to mislead a public servant in the performance of his or her duty, a class B misdemeanor, to include when a person provides any verbal false statement regarding his or her identity which the person believes or knows not to be true;
- (6) Specifies that a department investigator licensed as a peace officer by the Director of the Department of Public Safety under Chapter 590, RSMo, must be deemed to be a peace officer while acting in an investigation to enforce the provisions of Chapter 301 and any provisions regarding fees, licenses, or taxes other than income, sales and use, or corporation franchise taxes; and
- (7) This bill adds one active member of the Missouri Deputy

Sheriff's Association to the Missouri Sheriff Methamphetamine Relief Taskforce (MoSMART). The taskforce member will serve a two-year term and be appointed by the Governor from a list of five names submitted by the association.

PROPONENTS: Supporters say that the same penalties should apply for removing objects other than a firearm from a police officer's person.

Testifying for the bill were Representative Fitzpatrick; Missouri Fraternal Order of Police; Kansas City Fraternal Order of Police; and Missouri Police Officers Association.

OPPONENTS: There was no opposition voiced to the committee.