

SECOND REGULAR SESSION

# HOUSE BILL NO. 2662

## 99TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE BRATTIN.

6558H.021

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal sections 160.665 and 590.205, RSMo, and to enact in lieu thereof two new sections relating to school protection officers.

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

Section A. Sections 160.665 and 590.205, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 160.665 and 590.205, to read as follows:

2 160.665. 1. Any school district within the state may designate one or more ~~or secondary school teachers or administrators~~ **employees of the district** as a school protection  
3 officer. The responsibilities and duties of a school protection officer are voluntary and shall be  
4 in addition to the normal responsibilities and duties of the ~~teacher or administrator~~ **employee**.  
5 Any compensation for additional duties relating to service as a school protection officer shall be  
6 funded by the local school district, with no state funds used for such purpose.

7 2. Any person designated by a school district as a school protection officer shall be  
8 authorized to carry concealed firearms or a self-defense spray device in any school in the district.  
9 A self-defense spray device shall mean any device that is capable of carrying, and that ejects,  
10 releases, or emits, a nonlethal solution capable of incapacitating a violent threat. The school  
11 protection officer shall not be permitted to allow any firearm or device out of his or her personal  
12 control while that firearm or device is on school property. Any school protection officer who  
13 violates this subsection may be removed immediately from the classroom and subject to  
14 employment termination proceedings.

15 3. **Any ammunition in the possession of a school protection officer who is carrying**  
16 **a concealed firearm while on school property in his or her role as an employee of the**

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.

17 **district shall be Dynamic Research Technologies ammunition or ammunition equivalent**  
18 **to or similar to such ammunition.**

19 **4.** A school protection officer has the same authority to detain or use force against any  
20 person on school property as provided to any other person under chapter 563.

21 ~~[4-]~~ **5.** Upon detention of a person under subsection ~~[3]~~ **4** of this section, the school  
22 protection officer shall immediately notify a school administrator and a school resource officer,  
23 if such officer is present at the school. If the person detained is a student then the parents or  
24 guardians of the student shall also be immediately notified by a school administrator.

25 ~~[5-]~~ **6.** Any person detained by a school protection officer shall be turned over to a  
26 school administrator or law enforcement officer as soon as practically possible and shall not be  
27 detained by a school protection officer for more than one hour.

28 ~~[6-]~~ **7.** Any ~~[teacher or administrator of an elementary or secondary school]~~ **employee**  
29 **of a district** who seeks to be designated as a school protection officer shall request such  
30 designation in writing, and submit it to the superintendent of the school district which employs  
31 him or her ~~[as a teacher or administrator]~~. Along with this request, any ~~[teacher or administrator]~~  
32 **employee** seeking to carry a concealed firearm on school property shall also submit proof that  
33 he or she has a valid concealed carry endorsement or permit, and all ~~[teachers and administrators]~~  
34 **employees** seeking the designation of school protection officer shall submit a certificate of  
35 school protection officer training program completion from a training program approved by the  
36 director of the department of public safety which demonstrates that such person has successfully  
37 completed the training requirements established by the POST commission under chapter 590 for  
38 school protection officers.

39 ~~[7-]~~ **8.** No school district may designate ~~[a teacher or administrator]~~ **an employee** as a  
40 school protection officer unless such person has successfully completed a school protection  
41 officer training program, which has been approved by the director of the department of public  
42 safety. No school district shall allow a school protection officer to carry a concealed firearm on  
43 school property unless the school protection officer has a valid concealed carry endorsement or  
44 permit.

45 ~~[8-]~~ **9.** Any school district that designates ~~[a teacher or administrator]~~ **an employee** as  
46 a school protection officer shall, within thirty days, notify, in writing, the director of the  
47 department of public safety of the designation, which shall include the following:

- 48 (1) The full name, date of birth, and address of the officer;  
49 (2) The name of the school district; and  
50 (3) The date such person was designated as a school protection officer.

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52 Notwithstanding any other provisions of law to the contrary, any identifying information  
53 collected under the authority of this subsection shall not be considered public information and  
54 shall not be subject to a request for public records made under chapter 610.

55 ~~[9-]~~ **10.** A school district may revoke the designation of a person as a school protection  
56 officer for any reason and shall immediately notify the designated school protection officer in  
57 writing of the revocation. The school district shall also within thirty days of the revocation notify  
58 the director of the department of public safety in writing of the revocation of the designation of  
59 such person as a school protection officer. A person who has had the designation of school  
60 protection officer revoked has no right to appeal the revocation decision.

61 ~~[10-]~~ **11.** The director of the department of public safety shall maintain a listing of all  
62 persons designated by school districts as school protection officers and shall make this list  
63 available to all law enforcement agencies.

64 ~~[11- Before a school district may designate a teacher or administrator]~~ **12. If an**  
65 **employee submits a request for designation** as a school protection officer **to the**  
66 **superintendent**, the school board shall **promptly** hold a public hearing ~~[on]~~ **and determine by**  
67 **a vote at the hearing** whether to allow such designation. Notice of the hearing shall be  
68 published at least fifteen days before the date of the hearing in a newspaper of general circulation  
69 within the city or county in which the school district is located. **The request for designation**  
70 **as a school protection officer shall also require** the school board ~~[may determine at]~~ **to hold**  
71 a closed meeting, as "closed meeting" is defined under section 610.010, **and determine by a**  
72 **vote at the closed meeting** whether to authorize the designated school protection officer to carry  
73 a concealed firearm or a self-defense spray device. **The school board shall hold the closed**  
74 **meeting and vote on the issue regardless of whether the employee specifically requested**  
75 **authorization to carry a concealed firearm or a self-defense spray device on school**  
76 **property in his or her request for designation as a school protection officer.**

77 **13. Each school district shall consider implementing a school protection officer**  
78 **program consistent with the provisions of this section. The school board of each school**  
79 **district shall hold a public hearing and determine by a vote at the hearing whether to**  
80 **implement such a program.**

81 **14. Any school board that approves a school protection officer program by a vote**  
82 **described in subsection 13 of this section shall notify all the employees of the district of the**  
83 **program and the option to request designation as a school protection officer.**

590.205. 1. The POST commission shall establish minimum standards for school  
2 protection officer training instructors, training centers, and training programs.

3 2. The director shall develop and maintain a list of approved school protection officer  
4 training instructors, training centers, and training programs. **The director shall allow private**

5 **companies to serve as training centers and operate training programs under this section.**

6 The director shall not place any instructor, training center, or training program on its approved  
7 list unless such instructor, training center, or training program meets all of the POST commission  
8 requirements under this section and section 590.200. The director shall make this approved list  
9 available to every school district in the state. The required training to become a school  
10 protection officer shall be provided by those firearm instructors, private and public, who have  
11 successfully completed a department of public safety POST certified law enforcement firearms  
12 instructor school.

13 3. Each person seeking entrance into a school protection officer training center or  
14 training program shall submit a fingerprint card and authorization for a criminal history  
15 background check to include the records of the Federal Bureau of Investigation to the training  
16 center or training program where such person is seeking entrance. The training center or training  
17 program shall cause a criminal history background check to be made and shall cause the resulting  
18 report to be forwarded to the school district where the ~~[elementary school teacher or~~  
19 ~~administrator]~~ **employee** is seeking to be designated as a school protection officer.

20 4. No person shall be admitted to a school protection officer training center or training  
21 program unless such person submits proof to the training center or training program that he or  
22 she has a valid concealed carry endorsement or permit.

23 5. A certificate of school protection officer training program completion may be issued  
24 to any applicant by any approved school protection officer training instructor. On the certificate  
25 of program completion the approved school protection officer training instructor shall affirm that  
26 the individual receiving instruction has taken and passed a school protection officer training  
27 program that meets the requirements of this section and section 590.200 and indicate whether  
28 the individual has a valid concealed carry endorsement or permit. The instructor shall also  
29 provide a copy of such certificate to the director of the department of public safety.

30 **6. The POST commission shall establish requirements for the continuing education**  
31 **of all school protection officers. All school protection officers shall annually receive twenty**  
32 **hours of firearms skill development training.**

33 **7. At least two times each year, all school protection officers shall participate in a**  
34 **joint training on school protection with a local law enforcement agency.**

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