

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 784
101ST GENERAL ASSEMBLY

0674H.02C

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 21, RSMo, by adding thereto two new sections relating to marshals of the general assembly.

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

Section A. Chapter 21, RSMo, is amended by adding thereto two new sections, to be
2 known as sections 21.495 and 21.496, to read as follows:

21.495. 1. The speaker of the house of representatives may appoint house marshals
2 to aid the sergeant-at-arms in overseeing the physical security of the areas within the
3 capitol under the control of the house of representatives, serving house-generated papers
4 and orders, and assisting members of the house of representatives as the speaker
5 determines appropriate. Such marshals shall serve at the pleasure of the speaker of the
6 house of representatives. Any marshals authorized by this section are in addition to capitol
7 police officers or any other law enforcement personnel that may otherwise be provided by
8 law.

9 2. Subject to the rules of the house of representatives, house marshals may carry
10 firearms when necessary for the proper discharge of their duties. Such marshals shall have
11 all powers granted to law enforcement officers in this state to apprehend and arrest
12 persons and that are necessary to ensure the proper security and functioning of the house
13 of representatives.

14 3. Any person appointed as a house marshal under this section shall have at least
15 five years' prior experience as a law enforcement officer. Any such person shall possess
16 and maintain a valid peace officer license for the duration of his or her employment. In
17 addition to all other powers and duties provided by law to the sergeant-at-arms of the
18 house, a house marshal or the sergeant-at-arms may serve process, wear a concealable

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.

19 firearm, and make arrests based upon state law, as directed by the speaker of the house of
20 representatives.

21 **4. Notwithstanding the provisions of section 590.020 to the contrary, the Missouri**
22 **house of representatives shall be authorized to commission peace officers to serve as**
23 **sergeants-at-arms, deputy sergeants-at-arms, or house marshals. The sergeants-at-arms,**
24 **deputy sergeants-at-arms, and house marshals shall, before they enter upon their duties,**
25 **take and subscribe an oath of office before some officer authorized to administer oaths, to**
26 **faithfully and impartially discharge the duties thereof, which oath shall be filed in the**
27 **office of the clerk of the house, and the clerk shall give each officer so appointed and**
28 **qualified a certificate of appointment, under the seal of the house of representatives, which**
29 **certificate shall empower him or her with the same authority to maintain order, preserve**
30 **peace, and make arrests as is now held by law enforcement officers.**

21.496. 1. The president pro tempore of the senate may appoint senate marshals
2 **to aid the sergeant-at-arms in overseeing the physical security of the areas within the**
3 **capitol under the control of the senate, serving senate-generated papers and orders, and**
4 **assisting members of the senate as the president pro tempore determines appropriate.**
5 **Such marshals shall serve at the pleasure of the president pro tempore of the senate. Any**
6 **marshals authorized by this section are in addition to capitol police officers or any other**
7 **law enforcement personnel that may otherwise be provided by law.**

8 **2. Subject to the rules of the senate, senate marshals may carry firearms when**
9 **necessary for the proper discharge of his or her duties. Such marshals shall have all**
10 **powers granted to law enforcement officers in this state to apprehend and arrest persons**
11 **and that are necessary to ensure the proper security and functioning of the senate.**

12 **3. Any person appointed as a senate marshal under this section shall have at least**
13 **five years' prior experience as a law enforcement officer. Any such person shall possess**
14 **and maintain a valid peace officer license for the duration of his or her employment. In**
15 **addition to all other powers and duties provided by law to the sergeant-at-arms of the**
16 **senate, a senate marshal or the sergeant-at-arms may serve process, wear a concealable**
17 **firearm, and make arrests based upon state law, as directed by the president pro tempore**
18 **of the senate.**

19 **4. Notwithstanding the provisions of section 590.020 to the contrary, the Missouri**
20 **senate shall be authorized to commission peace officers to serve as sergeants-at-arms,**
21 **deputy sergeants-at-arms, or senate marshals. The sergeants-at-arms, deputy sergeants-at-**
22 **arms, and senate marshals shall, before they enter upon their duties, take and subscribe**
23 **an oath of office before some officer authorized to administer oaths, to faithfully and**
24 **impartially discharge the duties thereof, which oath shall be filed in the office of the**

25 **secretary of the senate, and the secretary shall give each officer so appointed and qualified**
26 **a certificate of appointment, under the seal of the senate, which certificate shall empower**
27 **him or her with the same authority to maintain order, preserve peace, and make arrests**
28 **as is now held by law enforcement officers.**

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