

FIRST REGULAR SESSION

HOUSE BILL NO. 998

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE DEGROOT.

2123H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 590, RSMo, by adding thereto one new section relating to peace officer use of force, with a delayed effective date.

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

Section A. Chapter 590, RSMo, is amended by adding thereto one new section, to be known as section 590.1265, to read as follows:

590.1265. 1. The provisions of this section shall be known and may be cited as the "Police Use of Force Transparency Act of 2021".

2. For purposes of this section, the following terms mean:

(1) "Law enforcement agency", the same meaning as defined in section 590.1040;

(2) "Peace officer", the same meaning as defined in section 590.010;

(3) "Use-of-force incident", an incident in which:

(a) A fatality occurs that is connected to a use of force by a peace officer;

(b) Serious bodily injury occurs that is connected to a use of force by a peace officer; or

(c) In the absence of death or serious bodily injury, a peace officer discharges a firearm at, or in the direction of, a person.

3. Each law enforcement agency shall, at least annually, collect and report local data on use-of-force incidents involving peace officers to the National Use of Force Data Collection through the Law Enforcement Enterprise Portal administered by the Federal Bureau of Investigation.

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.

16 **4. Each law enforcement agency shall additionally report the data submitted under**
17 **subsection 3 of this section to the attorney general. Law enforcement agencies shall not**
18 **include personally identifying information of individual peace officers in their reports.**

19 **5. The attorney general shall, no later than June 30, 2022, develop standards and**
20 **procedures governing the collection and reporting of use-of-force data under this section.**
21 **The standards and procedures shall be consistent with the requirements, definitions, and**
22 **methods of the National Use of Force Data Collection administered by the Federal Bureau**
23 **of Investigation.**

24 **6. The attorney general shall publish the data reported by law enforcement**
25 **agencies under subsection 4 of this section, including statewide aggregate data and agency-**
26 **specific data, in a publicly available report. Such data shall be deemed a public record**
27 **consistent with the provisions and exemptions contained in chapter 610.**

28 **7. The attorney general shall undertake an analysis of any trends and disparities**
29 **in rates of use of force by all law enforcement agencies, with a report to be released to the**
30 **public no later than January 1, 2025. The report shall be updated periodically thereafter,**
31 **but not less than once every five years.**

Section B. Section A of this act shall become effective on January 1, 2022.

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