

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for  
2 Senate Bill No. 834, Page 1, Section A, Line 5, by inserting after said section and line the following:

3  
4 "67.145. 1. No political subdivision of this state shall prohibit any first responder from  
5 engaging in any political activity while off duty and not in uniform, being a candidate for elected or  
6 appointed public office, or holding such office unless such political activity or candidacy is  
7 otherwise prohibited by state or federal law.

8 2. As used in this section, "first responder" means any person trained and authorized by law  
9 or rule to render emergency medical assistance or treatment. Such persons may include, but shall  
10 not be limited to, emergency first responders, telecommunicator first responders, police officers,  
11 sheriffs, deputy sheriffs, firefighters, ambulance attendants and attendant drivers, emergency  
12 medical technicians, mobile emergency medical technicians, emergency medical technician-  
13 paramedics, registered nurses, or physicians.

14 70.631. 1. Each political subdivision may, by majority vote of its governing body, elect to  
15 cover emergency [~~telecommunicators~~] telecommunicator first responders, jailors, and emergency  
16 medical service personnel as public safety personnel members of the system. The clerk or secretary  
17 of the political subdivision shall certify an election concerning the coverage of emergency  
18 [~~telecommunicators~~] telecommunicator first responders, jailors, and emergency medical service  
19 personnel as public safety personnel members of the system to the board within ten days after such  
20 vote. The date in which the political subdivision's election becomes effective shall be the first day  
21 of the calendar month specified by such governing body, the first day of the calendar month next  
22 following receipt by the board of the certification of the election, or the effective date of the political  
23 subdivision's becoming an employer, whichever is the latest date. Such election shall not be  
24 changed after the effective date. If the election is made, the coverage provisions shall be applicable  
25 to all past and future employment with the employer by present and future employees. If a political  
26 subdivision makes no election under this section, no emergency telecommunicator first responder,  
27 jailor, or emergency medical service personnel of the political subdivision shall be considered public  
28 safety personnel for purposes determining a minimum service retirement age as defined in section  
29 70.600.

30 2. If an employer elects to cover emergency [~~telecommunicators~~] telecommunicator first

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1 responders, jailors, and emergency medical service personnel as public safety personnel members of  
 2 the system, the employer's contributions shall be correspondingly changed effective the same date as  
 3 the effective date of the political subdivision's election.

4 3. The limitation on increases in an employer's contributions provided by subsection 6 of  
 5 section 70.730 shall not apply to any contribution increase resulting from an employer making an  
 6 election under the provisions of this section.

7 4. The provisions of this section shall only apply to counties of the third classification and  
 8 any county of the first classification with more than seventy thousand but fewer than eighty-three  
 9 thousand inhabitants and with a city of the fourth classification with more than thirteen thousand  
 10 five hundred but fewer than sixteen thousand inhabitants as the county seat, and any political  
 11 subdivisions located, in whole or in part, within such counties.

12 84.005. Sections 84.005 to 84.340 shall be known as the "Police Defunding Control Act of  
 13 2022".

14 84.012. In all cities of this state not within a county, the common council or municipal  
 15 assembly, as the case may be, of such cities may pass ordinances for preserving order, securing  
 16 property and persons from violence, danger or destruction, protecting public and private property,  
 17 and for promoting the interests and ensuring the good government of the cities; but no ordinances  
 18 heretofore passed, or that may hereafter be passed, by the common council or municipal assembly of  
 19 the cities, shall, in any manner, conflict or interfere with the powers or the exercise of the powers of  
 20 the boards of police commissioners of the cities as created by section 84.020, nor shall the cities or  
 21 any officer or agent of the corporation of the cities, or the mayor thereof, in any manner impede,  
 22 obstruct, hinder, or interfere with the boards of police or any officer, or agent or servant thereof or  
 23 thereunder.

24 84.020. In all cities of this state that now have, or may hereafter attain, a population of five  
 25 hundred thousand inhabitants or over, there shall be, and is hereby established, within and for said  
 26 cities, a board of police, to consist of four commissioners, as provided in sections 84.040 to 84.080,  
 27 together with the ~~mayor~~ president of the board of aldermen of said cities for the time being, or  
 28 whosoever may be officially acting in that capacity, and said board shall appoint one of its members  
 29 as president, and one member who shall act as vice president during the absence of the president;  
 30 and such president or vice president shall be the executive officer of the board and shall act for it  
 31 when the board is not in session.

32 84.030. Beginning on ~~[January 9, 1989]~~ August 28, 2022, and no later than September 28,  
 33 2022, the governor of the state of Missouri, by and with the advice and consent of the senate, shall  
 34 appoint the four commissioners provided for in section 84.020, and one commissioner shall be  
 35 appointed for a term of one year; one commissioner shall be appointed for a term of two years; one  
 36 commissioner shall be appointed for a term of three years; one commissioner shall be appointed for  
 37 a term of four years. Their successors shall each be appointed for a term of four years, and said  
 38 commissioners shall hold office for their term of appointment and until their successors shall have  
 39 been appointed and qualified. In case of a vacancy in said board for any cause whatsoever, it shall  
 40 be filled by appointment for the unexpired term, in the same manner as in the case of original

1 appointments. The governor shall issue commissions to the persons so appointed, designating the  
 2 time for which they are appointed in case the appointment is to fill an unexpired term occasioned by  
 3 death, resignation or any other cause, and whenever the term of office of any commissioner expires,  
 4 the appointment of his successor shall be for four years. ~~[The commissioners now holding offices~~  
 5 ~~under existing laws in any city of this state to which sections 84.010 to 84.340 apply are to hold~~  
 6 ~~their offices until the expiration of their terms, and their successors are duly appointed and~~  
 7 ~~qualified].~~

8 84.100. To enable the boards to perform the duties imposed upon them, they are hereby  
 9 authorized and required to appoint, enroll and employ a permanent police force for the cities which  
 10 they shall equip and arm as they may judge necessary. Except as provided below, the number of  
 11 patrolmen to be appointed shall not be ~~[more]~~ less than one thousand ~~[six]~~ one hundred ~~[eighty-~~  
 12 ~~three]~~ forty-two of which number not more than two hundred fifty are to be probationary patrolmen.  
 13 Any increase in the number of patrolmen authorized, in addition to that provided for above, shall be  
 14 permitted upon recommendation by the board of police commissioners, with the approval of the  
 15 municipal board of estimate and apportionment. ~~[The number of turnkeys to be appointed shall be~~  
 16 ~~sixty-five, except that for each patrolman hereafter promoted, demoted, removed, resigned or~~  
 17 ~~otherwise separated from the force, an additional turnkey may be appointed, but under no~~  
 18 ~~circumstances shall more than one hundred fifty turnkeys be appointed. As each additional turnkey~~  
 19 ~~is appointed, the maximum number of patrolmen to be appointed shall be reduced accordingly so~~  
 20 ~~that when one hundred fifty turnkeys have been appointed, the number of patrolmen to be appointed~~  
 21 ~~shall not be more than one thousand five hundred ninety-eight]~~ The board may continue to employ  
 22 as many non-commissioned police civilians as it deems necessary in order to perform the duties  
 23 imposed upon them, which shall include city marshals and park rangers.

24 84.140. The boards shall grant every member of the police force who has served for one  
 25 year or more a total of three weeks vacation each year with pay, and each member of the police  
 26 force who has served the department for ~~[twelve]~~ five years or more shall receive ~~[four]~~ five weeks  
 27 vacation each year with pay, and each member of the police force who has served the department for  
 28 ~~[twenty-one]~~ ten years or more shall receive ~~[five]~~ six weeks vacation each year with pay, and each  
 29 member of the police force who has served the department for ~~[thirty]~~ fifteen years or more ~~[and is~~  
 30 ~~eligible to participate in the deferred retirement option plan]~~ shall receive ~~[six]~~ seven weeks  
 31 vacation each year with pay~~]; however the board may grant an additional week of paid vacation to~~  
 32 ~~members after one year of service],~~ and each member of the police force who has served the  
 33 department for twenty years or more shall receive eight weeks vacation each year with pay. All  
 34 members of the police force shall receive ~~[fifteen]~~ sixteen holidays with pay, however the board may  
 35 grant additional holidays with pay, and one hundred four days off duty each year with pay, and the  
 36 boards may from time to time grant additional days off duty each year with pay when in the  
 37 judgment of the boards, the granting thereof will not materially impair the efficiency of the  
 38 department.

39 84.150. The maximum number of officers of the police force in each rank in each such city

1 shall be as follows: one chief of police with the rank of colonel; one assistant chief of police with  
 2 the rank of lieutenant colonel; four additional lieutenant colonels~~], not to exceed five in number and~~  
 3 ~~other such ranks and number of members within such ranks as the board from time to time deems~~  
 4 ~~necessary~~]; ten captains; fifty-seven lieutenants; and one hundred and eighty-eight sergeants. No  
 5 further appointments to the rank of major shall hereafter be made, but all members of the force now  
 6 holding the rank of major shall continue in such rank until their promotion, demotion, removal,  
 7 resignation, or other separation from the force. The officers of the police force shall have  
 8 commissions issued to them by the boards of police commissioners, and those heretofore and those  
 9 hereafter commissioned shall serve so long as they shall faithfully perform their duties and possess  
 10 the necessary mental and physical ability, and be subject to removal only for cause after a hearing by  
 11 the board, who are hereby invested with exclusive jurisdiction in the premises.

12 84.160. 1. As of August 28, ~~[2006]~~ 2022, the board of police commissioners shall have the  
 13 authority to compute and establish the annual salary of each member of the police force without  
 14 receiving prior authorization from the general assembly, which shall not be less than the annual  
 15 salaries paid to each member at the time of the enactment of this section and which annual salary  
 16 shall increase by no less than four thousand dollars as of July 1, 2023.

17 2. Each officer of police and patrolman whose regular assignment requires nonuniformed  
 18 attire may receive, in addition to his or her salary, an allowance not to exceed three hundred sixty  
 19 dollars per annum payable biweekly. Notwithstanding the provisions of subsection 1 of this section  
 20 to the contrary, no additional compensation or compensatory time off for overtime, court time, or  
 21 standby court time shall be paid or allowed to any officer of the rank of ~~[sergeant]~~ lieutenant or  
 22 above. Notwithstanding any other provision of law to the contrary, nothing in this section shall  
 23 prohibit the payment of additional compensation pursuant to this subsection to officers of the ranks  
 24 of sergeants and above, provided that funding for such compensation shall not:

25 (1) Be paid from the general funds of either the city or the board of police commissioners of  
 26 the city; or

27 (2) Be violative of any federal law or other state law.

28 3. It is the duty of the municipal assembly or common council of the cities to make the  
 29 necessary appropriation for the expenses of the maintenance of the police force in the manner herein  
 30 and hereafter provided; provided, that in no event shall such municipal assembly or common council  
 31 be required to appropriate for such purposes (including, but not limited to, costs of funding pensions  
 32 or retirement plans) for any fiscal year a sum in excess of any limitation imposed by article X,  
 33 section 21, Missouri Constitution; and provided further, that such municipal assembly or common  
 34 council may appropriate a sum in excess of such limitation for any fiscal year by an appropriations  
 35 ordinance enacted in conformity with the provisions of the charter of such cities.

36 4. Notwithstanding the provisions of subsection 1 of this section to the contrary, the board of  
 37 police commissioners shall pay additional compensation for all hours of service rendered by  
 38 probationary patrolmen ~~[and]~~, patrolmen, and sergeants in excess of the established regular working  
 39 period, and the rate of compensation shall be one and one-half times the regular hourly rate of pay to

1 which each member shall normally be entitled; except that, the court time and court standby time  
2 shall be paid at the regular hourly rate of pay to which each member shall normally be entitled. No  
3 credit shall be given or deductions made from payments for overtime for the purpose of retirement  
4 benefits.

5 5. Notwithstanding the provisions of subsection 1 of this section to the contrary,  
6 probationary patrolmen ~~[and]~~, patrolmen, and sergeants shall receive additional compensation for  
7 authorized overtime, court time and court standby time whenever the total accumulated time  
8 exceeds forty hours. The accumulated forty hours shall be taken as compensatory time off at the  
9 officer's discretion with the approval of his supervisor.

10 6. The allowance of compensation or compensatory time off for court standby time shall be  
11 computed at the rate of one-third of one hour for each hour spent on court standby time.

12 7. The board of police commissioners ~~[may]~~ shall effect programs to provide additional  
13 compensation to its employees for successful completion of academic work at an accredited college  
14 or university, in amounts not to exceed ten percent of their yearly salaries or for field training officer  
15 and lead officer responsibilities in amounts not to exceed three percent of their yearly salaries for  
16 field training officer responsibilities and an additional three percent of their yearly salaries for lead  
17 officer responsibilities. The board may designate up to one hundred fifty employees as field training  
18 officers and up to fifty employees as lead officers.

19 8. The board of police commissioners:

20 (1) Shall provide or contract for life insurance coverage and for insurance benefits providing  
21 health, medical and disability coverage for officers and employees of the department to the same  
22 extent as was provided by the city under section 84.344;

23 (2) Shall provide or contract for insurance coverage providing salary continuation coverage  
24 for officers and employees of the police department to the same extent as was provided by the city  
25 under section 84.344;

26 (3) Shall provide health, medical, and life insurance coverage for retired officers and  
27 employees of the police department to the same extent as was provided by the city under section  
28 84.344. Health, medical and life insurance coverage shall be made available for purchase to the  
29 spouses or dependents of deceased retired officers and employees of the police department who  
30 receive pension benefits pursuant to sections 86.200 to 86.364 to the same extent as was provided by  
31 the city under section 84.344, and shall be at the rate that such dependent's or spouse's coverage  
32 would cost under the appropriate plan if the deceased were living;

33 (4) May pay an additional shift differential compensation to members of the police force for  
34 evening and night tour of duty in an amount not to exceed ten percent of the officer's base hourly  
35 rate.

36 9. Notwithstanding the provisions of subsection 1 of this section to the contrary, the board of  
37 police commissioners shall pay additional compensation to members of the police force up to and  
38 including the rank of police officer for any full hour worked between the hours of 11:00 p.m. and  
39 7:00 a.m., in amounts equal to ~~[five]~~ ten percent of the officer's base hourly pay.

1           10. The board of police commissioners, from time to time and in its discretion, may pay  
2 additional compensation to police officers, sergeants and lieutenants by paying commissioned  
3 officers in the aforesaid ranks for accumulated, unused vacation time. Any such payments shall be  
4 made in increments of not less than forty hours, and at rates equivalent to the base straight-time  
5 rates being earned by said officers at the time of payment; except that, no such officer shall be  
6 required to accept payment for accumulated unused vacation time.

7           84.170. 1. When any vacancy shall take place in any grade of officers, it shall be filled from  
8 the next lowest grade; provided, however, that probationary patrolmen shall serve at least six  
9 months as such before being promoted to the rank of patrolman; patrolmen shall serve at least three  
10 years as such before being promoted to the rank of sergeant; sergeants shall serve at least one year  
11 as such before being promoted to the rank of lieutenant; lieutenants shall serve at least one year as  
12 such before being promoted to the rank of captain; and in no case shall the chief or assistant chief be  
13 selected from men not members of the force or below the grade of captain. Patrolmen shall serve at  
14 least three years as such before promotion to the rank of detective; the inspector shall be taken from  
15 men in the rank not below the grade of lieutenant.

16           2. The boards of police are hereby authorized to make all such rules and regulations, not  
17 inconsistent with sections 84.010 to 84.340, or other laws of the state, as they may judge necessary,  
18 for the appointment, employment, uniforming, discipline, trial and government of the police. At the  
19 time of the effective date of this act and until such time as the board adopts other investigative and  
20 disciplinary policies and procedures not inconsistent with section 590.502, discipline and  
21 investigative procedures for commissioned and civilian employees of the police force shall be  
22 regulated by rule 7 of the police manual of the police department in effect as of November 4, 2013,  
23 except that where rule 7 is in conflict with section 590.502, the board shall comply with the  
24 requirements of section 590.502. Under no circumstances shall the board initially or hereafter adopt  
25 investigative and disciplinary procedures that do not include the summary hearing board procedures  
26 provided for in rule 7 of the police manual of the police department in effect as of November 4,  
27 2013. The said boards shall also have power to require of any officer or policeman bond with  
28 sureties when they may consider it demanded by the public interests. All lawful rules and  
29 regulations of the board shall be obeyed by the police force on pain of dismissal or such lighter  
30 punishment, either by suspension, fine, reduction or forfeiture of pay, or otherwise as the boards  
31 may adjudge.

32           3. The authority possessed by the board of police includes, but is not limited to, the  
33 authority to delegate portions of its powers authorized in section 84.120, including presiding over a  
34 disciplinary hearing, to a hearing officer as determined by the board.

35           84.225. Any officer or servant of the mayor or common council or municipal assembly of  
36 the said cities, or other persons whatsoever, who shall forcibly resist or obstruct the execution or  
37 enforcement of any of the provisions of sections 84.010 to 84.340 or relating to the same, or who  
38 shall disburse or fail to disburse any money in violation thereof, or who shall hinder or obstruct the  
39 organization or maintenance of said board of police, or the police force therein provided to be

1 organized and maintained, or who shall maintain or control any police force other than the one  
2 therein provided for, or who shall delay or hinder the due enforcement of sections 84.010 to 84.340  
3 by failing or neglecting to perform the duties by said sections imposed upon him or her, shall be  
4 liable to a penalty of one thousand dollars for each and every offense, recoverable by the boards by  
5 action at law in the name of the state, and shall forever thereafter be disqualified from holding or  
6 exercising any office or employment whatsoever under the mayor or common council or municipal  
7 assembly of said cities, or under sections 84.010 to 84.340; provided, however, that nothing in this  
8 section shall be construed to interfere with the punishment, under any existing or any future laws of  
9 this state, of any criminal offense which shall be committed by the said parties in or about the  
10 resistance, obstruction, hindrance, conspiracy, combination, or disbursement aforesaid.

11 84.325. 1. On August 28, 2022, the board of police commissioners shall assume control of  
12 any municipal police force established within any city not within a county according to the  
13 procedures and requirements of this section and any rules promulgated under subsection 6 of this  
14 section. The purpose of these procedures and requirements is to provide for an orderly and  
15 appropriate transition in the governance of the police force and provide for an equitable employment  
16 transition for commissioned and civilian personnel.

17 2. Upon the assumption of control by the board of police commissioners under subsection 1  
18 of this section, any municipal police department within any city not within a county shall convey,  
19 assign, and otherwise transfer to the board title and ownership of all indebtedness and assets,  
20 including, but not limited to, all funds and real and personal property held in the name of or  
21 controlled by the municipal police department. This expressly excludes any funds held by the city  
22 in the name of, for the benefit of, or for future contribution to any police pension system created  
23 under chapter 86. Such cities shall thereafter cease the operation of any police department or police  
24 force.

25 3. Upon the assumption of control by the board of police commissioners under subsection 1  
26 of this section, the state shall accept responsibility, ownership, and liability as successor-in-interest  
27 for contractual obligations and other lawful obligations of the municipal police department. As used  
28 herein, "obligations" shall not include, and shall not be construed to include, the city's obligation to  
29 make contributions pursuant to section 86.337 to any police pension system created under chapter  
30 86.

31 4. The board of police commissioners shall initially employ, without a reduction in rank,  
32 salary, or benefits, all commissioned and civilian personnel of the municipal police department that  
33 were employed by the municipal police department immediately prior to the date the board assumed  
34 control. The board shall recognize all accrued years of service that such commissioned and civilian  
35 personnel had with the municipal police department as well as all accrued years of service that such  
36 commissioned and civilian personnel had previously with the board of police commissioners. Such  
37 personnel shall be entitled to the same holidays, vacation, sick leave, sick bonus time, and annual  
38 step-increases they were entitled to as employees of the municipal police department.

39 5. The commissioned and civilian personnel who retire from service with the municipal

1 police department both before and after the board of police commissioners assumed control of the  
 2 department under subsection 1 of this section shall continue to be entitled to the same pension  
 3 benefits provided as employees of the municipal police department and the same benefits set forth in  
 4 subsection 4 of this section.

5 6. The board of police commissioners may promulgate all necessary rules and regulations  
 6 for the implementation and administration of this section. Any rule or portion of a rule, as that term  
 7 is defined in section 536.010, that is created under the authority delegated in this section shall  
 8 become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if  
 9 applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers  
 10 vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to  
 11 disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking  
 12 authority and any rule proposed or adopted after August 28, 2022, shall be invalid and void.

13 84.346. Any police pension system created under chapter 86 for the benefit of a police force  
 14 established under sections ~~[84.010]~~ 84.005 to 84.340 shall continue to be governed by chapter 86,  
 15 and shall apply to any police force established under section 84.343 to 84.346. Other than any  
 16 provision that makes chapter 86 applicable to a municipal police force established under section  
 17 84.343 to 84.346, nothing in sections 84.343 to 84.346 shall be construed as limiting or changing the  
 18 rights or benefits provided under chapter 86.

19 105.726. 1. Nothing in sections 105.711 to 105.726 shall be construed to broaden the  
 20 liability of the state of Missouri beyond the provisions of sections 537.600 to 537.610, nor to abolish  
 21 or waive any defense at law which might otherwise be available to any agency, officer, or employee  
 22 of the state of Missouri. Sections 105.711 to 105.726 do not waive the sovereign immunity of the  
 23 state of Missouri.

24 2. The creation of the state legal expense fund and the payment therefrom of such amounts  
 25 as may be necessary for the benefit of any person covered thereby are deemed necessary and proper  
 26 public purposes for which funds of this state may be expended.

27 3. Moneys in the state legal expense fund shall not be available for the payment of any  
 28 claim or any amount required by any final judgment rendered by a court of competent jurisdiction  
 29 against a board of police commissioners established under chapter 84, including the commissioners,  
 30 any police officer, notwithstanding sections 84.330 and 84.710, or other provisions of law, other  
 31 employees, agents, representative, or any other individual or entity acting or purporting to act on its  
 32 or their behalf. Such was the intent of the general assembly in the original enactment of sections  
 33 105.711 to 105.726, and it is made express by this section in light of the decision in *Wayman Smith,*  
 34 *III, et al. v. State of Missouri*, 152 S.W.3d 275. Except that the commissioner of administration shall  
 35 reimburse from the legal expense fund the board of police commissioners established under ~~[section~~  
 36 ~~84.350, and any successor-in-interest established pursuant to section 84.344,]~~ chapter 84 for liability  
 37 claims otherwise eligible for payment under section 105.711 paid by such ~~[board]~~ boards on a  
 38 twenty-one equal share basis per claim up to a maximum of one million dollars per fiscal year.

39 4. ~~[Subject to the provisions of subsection 2 of section 84.345,]~~ If the representation of the



1 attorney general is requested by a board of police commissioners [~~or its successor-in-interest~~  
 2 ~~established pursuant to section 84.344~~], the attorney general shall represent, investigate, defend,  
 3 negotiate, or compromise all claims under sections 105.711 to 105.726 for the board of police  
 4 commissioners, its successor-in-interest pursuant to section 84.344, any police officer, other  
 5 employees, agents, representatives, or any other individual or entity acting or purporting to act on  
 6 their behalf. The attorney general may establish procedures by rules promulgated under chapter 536  
 7 under which claims must be referred for the attorney general's representation. The attorney general  
 8 and the officials of the city which the police board represents [~~or represented~~] shall meet and  
 9 negotiate reasonable expenses or charges that will fairly compensate the attorney general and the  
 10 office of administration for the cost of the representation of the claims under this section.

11 5. Claims tendered to the attorney general promptly after the claim was asserted as required  
 12 by section 105.716 and prior to August 28, 2005, may be investigated, defended, negotiated, or  
 13 compromised by the attorney general and full payments may be made from the state legal expense  
 14 fund on behalf of the entities and individuals described in this section as a result of the holding in  
 15 *Wayman Smith, III, et al. v. State of Missouri*, 152 S.W.3d 275.

16 170.310. 1. For school year 2017-18 and each school year thereafter, upon graduation from  
 17 high school, pupils in public schools and charter schools shall have received thirty minutes of  
 18 cardiopulmonary resuscitation instruction and training in the proper performance of the Heimlich  
 19 maneuver or other first aid for choking given any time during a pupil's four years of high school.

20 2. Beginning in school year 2017-18, any public school or charter school serving grades  
 21 nine through twelve shall provide enrolled students instruction in cardiopulmonary resuscitation.  
 22 Students with disabilities may participate to the extent appropriate as determined by the provisions  
 23 of the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act.  
 24 Instruction shall be included in the district's existing health or physical education curriculum.  
 25 Instruction shall be based on a program established by the American Heart Association or the  
 26 American Red Cross, or through a nationally recognized program based on the most current national  
 27 evidence-based emergency cardiovascular care guidelines, and psychomotor skills development  
 28 shall be incorporated into the instruction. For purposes of this section, "psychomotor skills" means  
 29 the use of hands-on practicing and skills testing to support cognitive learning.

30 3. The teacher of the cardiopulmonary resuscitation course or unit shall not be required to be  
 31 a certified trainer of cardiopulmonary resuscitation if the instruction is not designed to result in  
 32 certification of students. Instruction that is designed to result in certification being earned shall be  
 33 required to be taught by an authorized cardiopulmonary instructor. Schools may develop  
 34 agreements with any local chapter of a voluntary organization of first responders to provide the  
 35 required hands-on practice and skills testing. For purposes of this subsection, first responders shall  
 36 include telecommunicator first responders as defined in section 650.320.

37 4. The department of elementary and secondary education may promulgate rules to  
 38 implement this section. Any rule or portion of a rule, as that term is defined in section 536.010, that  
 39 is created under the authority delegated in this section shall become effective only if it complies

1 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This  
2 section and chapter 536 are nonseverable and if any of the powers vested with the general assembly  
3 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are  
4 subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or  
5 adopted after August 28, 2012, shall be invalid and void.

6 190.091. 1. As used in this section, the following terms mean:

7 (1) "Bioterrorism", the intentional use of any microorganism, virus, infectious substance, or  
8 biological product that may be engineered as a result of biotechnology or any naturally occurring or  
9 bioengineered component of any microorganism, virus, infectious substance, or biological product  
10 to cause death, disease, or other biological malfunction in a human, an animal, a plant, or any other  
11 living organism to influence the conduct of government or to intimidate or coerce a civilian  
12 population;

13 (2) "Department", the Missouri department of health and senior services;

14 (3) "Director", the director of the department of health and senior services;

15 (4) "Disaster locations", any geographical location where a bioterrorism attack, terrorist  
16 attack, catastrophic or natural disaster, or emergency occurs;

17 (5) "First responders", state and local law enforcement personnel, telecommunicator first  
18 responders, fire department personnel, and emergency medical personnel who will be deployed to  
19 bioterrorism attacks, terrorist attacks, catastrophic or natural disasters, and emergencies.

20 2. The department shall offer a vaccination program for first responders who may be  
21 exposed to infectious diseases when deployed to disaster locations as a result of a bioterrorism event  
22 or a suspected bioterrorism event. The vaccinations shall include, but are not limited to, smallpox,  
23 anthrax, and other vaccinations when recommended by the federal Centers for Disease Control and  
24 Prevention's Advisory Committee on Immunization Practices.

25 3. Participation in the vaccination program shall be voluntary by the first responders, except  
26 for first responders who, as determined by their employer, cannot safely perform emergency  
27 responsibilities when responding to a bioterrorism event or suspected bioterrorism event without  
28 being vaccinated. The recommendations of the Centers for Disease Control and Prevention's  
29 Advisory Committee on Immunization Practices shall be followed when providing appropriate  
30 screening for contraindications to vaccination for first responders. A first responder shall be exempt  
31 from vaccinations when a written statement from a licensed physician is presented to their employer  
32 indicating that a vaccine is medically contraindicated for such person.

33 4. If a shortage of the vaccines referred to in subsection 2 of this section exists following a  
34 bioterrorism event or suspected bioterrorism event, the director, in consultation with the governor  
35 and the federal Centers for Disease Control and Prevention, shall give priority for such vaccinations  
36 to persons exposed to the disease and to first responders who are deployed to the disaster location.

37 5. The department shall notify first responders concerning the availability of the vaccination  
38 program described in subsection 2 of this section and shall provide education to such first  
39 responders and their employers concerning the vaccinations offered and the associated diseases.

6. The department may contract for the administration of the vaccination program described in subsection 2 of this section with health care providers, including but not limited to local public health agencies, hospitals, federally qualified health centers, and physicians.

7. The provisions of this section shall become effective upon receipt of federal funding or federal grants which designate that the funding is required to implement vaccinations for first responders in accordance with the recommendations of the federal Centers for Disease Control and Prevention's Advisory Committee on Immunization Practices. Upon receipt of such funding, the department shall make available the vaccines to first responders as provided in this section."; and

Further amend said bill, Page 19, Section 589.565, Line 19, by inserting after said section and line the following:

"650.320. For the purposes of sections 650.320 to 650.340, the following terms mean:

(1) "Ambulance service", the same meaning given to the term in section 190.100;

(2) "Board", the Missouri 911 service board established in section 650.325;

~~[(2)]~~ (3) "Dispatch agency", any person or organization that receives requests for emergency medical services from the public, by telephone or other means, and is responsible for dispatching emergency medical services;

(4) "Medical director", the same meaning given to the term in section 190.100;

(5) "Memorandum of understanding", the same meaning given to the term in section 190.100;

(6) "Public safety answering point", the location at which 911 calls are answered;

~~[(3)]~~ (7) "Telecommunicator first responder", any person employed as an emergency [telephone worker,] call taker or public safety dispatcher whose duties include receiving, processing or transmitting public safety information received through a 911 public safety answering point.

650.330. 1. The board shall consist of fifteen members, one of which shall be chosen from the department of public safety, and the other members shall be selected as follows:

(1) One member chosen to represent an association domiciled in this state whose primary interest relates to municipalities;

(2) One member chosen to represent the Missouri 911 Directors Association;

(3) One member chosen to represent emergency medical services and physicians;

(4) One member chosen to represent an association with a chapter domiciled in this state whose primary interest relates to a national emergency number;

(5) One member chosen to represent an association whose primary interest relates to issues pertaining to fire chiefs;

(6) One member chosen to represent an association with a chapter domiciled in this state whose primary interest relates to issues pertaining to public safety communications officers;

(7) One member chosen to represent an association whose primary interest relates to issues pertaining to police chiefs;

1 (8) One member chosen to represent an association domiciled in this state whose primary  
2 interest relates to issues pertaining to sheriffs;

3 (9) One member chosen to represent counties of the second, third, and fourth classification;

4 (10) One member chosen to represent counties of the first classification, counties with a  
5 charter form of government, and cities not within a county;

6 (11) One member chosen to represent telecommunications service providers;

7 (12) One member chosen to represent wireless telecommunications service providers;

8 (13) One member chosen to represent voice over internet protocol service providers; and

9 (14) One member chosen to represent the governor's council on disability established under  
10 section 37.735.

11 2. Each of the members of the board shall be appointed by the governor with the advice and  
12 consent of the senate for a term of four years. Members of the committee may serve multiple terms.  
13 No corporation or its affiliate shall have more than one officer, employee, assign, agent, or other  
14 representative serving as a member of the board. Notwithstanding subsection 1 of this section to the  
15 contrary, all members appointed as of August 28, 2017, shall continue to serve the remainder of  
16 their terms.

17 3. The board shall meet at least quarterly at a place and time specified by the chairperson of  
18 the board and it shall keep and maintain records of such meetings, as well as the other activities of  
19 the board. Members shall not be compensated but shall receive actual and necessary expenses for  
20 attending meetings of the board.

21 4. The board shall:

22 (1) Organize and adopt standards governing the board's formal and informal procedures;

23 (2) Provide recommendations for primary answering points and secondary answering points  
24 on technical and operational standards for 911 services;

25 (3) Provide recommendations to public agencies concerning model systems to be considered  
26 in preparing a 911 service plan;

27 (4) Provide requested mediation services to political subdivisions involved in jurisdictional  
28 disputes regarding the provision of 911 services, except that the board shall not supersede decision-  
29 making authority of local political subdivisions in regard to 911 services;

30 (5) Provide assistance to the governor and the general assembly regarding 911 services;

31 (6) Review existing and proposed legislation and make recommendations as to changes that  
32 would improve such legislation;

33 (7) Aid and assist in the timely collection and dissemination of information relating to the  
34 use of a universal emergency telephone number;

35 (8) Perform other duties as necessary to promote successful development, implementation  
36 and operation of 911 systems across the state, including monitoring federal and industry standards  
37 being developed for next-generation 911 systems;

38 (9) Designate a state 911 coordinator who shall be responsible for overseeing statewide 911  
39 operations and ensuring compliance with federal grants for 911 funding;

- 1 (10) Elect the chair from its membership;
- 2 (11) Apply for and receive grants from federal, private, and other sources;
- 3 (12) Report to the governor and the general assembly at least every three years on the status
- 4 of 911 services statewide, as well as specific efforts to improve efficiency, cost-effectiveness, and
- 5 levels of service;
- 6 (13) Conduct and review an annual survey of public safety answering points in Missouri to
- 7 evaluate potential for improved services, coordination, and feasibility of consolidation;
- 8 (14) Make and execute contracts or any other instruments and agreements necessary or
- 9 convenient for the exercise of its powers and functions, including for the development and
- 10 implementation of an emergency services internet protocol network that can be shared by all public
- 11 safety agencies;
- 12 (15) Develop a plan and timeline of target dates for the testing, implementation, and
- 13 operation of a next-generation 911 system throughout Missouri. The next-generation 911 system
- 14 shall allow for the processing of electronic messages including, but not limited to, electronic
- 15 messages containing text, images, video, or data;
- 16 (16) Administer and authorize grants and loans under section 650.335 to those counties and
- 17 any home rule city with more than fifteen thousand but fewer than seventeen thousand inhabitants
- 18 and partially located in any county of the third classification without a township form of government
- 19 and with more than thirty-seven thousand but fewer than forty-one thousand inhabitants that can
- 20 demonstrate a financial commitment to improving 911 services by providing at least a fifty percent
- 21 match and demonstrate the ability to operate and maintain ongoing 911 services. The purpose of
- 22 grants and loans from the 911 service trust fund shall include:
- 23 (a) Implementation of 911 services in counties of the state where services do not exist or to
- 24 improve existing 911 systems;
- 25 (b) Promotion of consolidation where appropriate;
- 26 (c) Mapping and addressing all county locations;
- 27 (d) Ensuring primary access and texting abilities to 911 services for disabled residents;
- 28 (e) Implementation of initial emergency medical dispatch services, including prearrival
- 29 medical instructions in counties where those services are not offered as of July 1, 2019; and
- 30 (f) Development and implementation of an emergency services internet protocol network
- 31 that can be shared by all public safety agencies;
- 32 (17) Develop an application process including reporting and accountability requirements,
- 33 withholding a portion of the grant until completion of a project, and other measures to ensure funds
- 34 are used in accordance with the law and purpose of the grant, and conduct audits as deemed
- 35 necessary;
- 36 (18) Set the percentage rate of the prepaid wireless emergency telephone service charges to
- 37 be remitted to a county or city as provided under subdivision (5) of subsection 3 of section 190.460;
- 38 (19) Retain in its records proposed county plans developed under subsection 11 of section
- 39 190.455 and notify the department of revenue that the county has filed a plan that is ready for

1 implementation;

2 (20) Notify any communications service provider, as defined in section 190.400, that has  
3 voluntarily submitted its contact information when any update is made to the centralized database  
4 established under section 190.475 as a result of a county or city establishing or modifying a tax or  
5 monthly fee no less than ninety days prior to the effective date of the establishment or modification  
6 of the tax or monthly fee;

7 (21) Establish criteria for consolidation prioritization of public safety answering points;

8 (22) In coordination with existing public safety answering points, by December 31, 2018,  
9 designate no more than eleven regional 911 coordination centers which shall coordinate statewide  
10 interoperability among public safety answering points within their region through the use of a  
11 statewide 911 emergency services network; ~~and~~

12 (23) Establish an annual budget, retain records of all revenue and expenditures made, retain  
13 minutes of all meetings and subcommittees, post records, minutes, and reports on the board's  
14 webpage on the department of public safety website; and

15 (24) Promote and educate the public about the critical role of telecommunicator first  
16 responders in protecting the public and ensuring public safety.

17 5. The department of public safety shall provide staff assistance to the board as necessary in  
18 order for the board to perform its duties pursuant to sections 650.320 to 650.340. The board shall  
19 have the authority to hire consultants to administer the provisions of sections 650.320 to 650.340.

20 6. The board shall promulgate rules and regulations that are reasonable and necessary to  
21 implement and administer the provisions of sections 190.455, 190.460, 190.465, 190.470, 190.475,  
22 and sections 650.320 to 650.340. Any rule or portion of a rule, as that term is defined in section  
23 536.010, shall become effective only if it has been promulgated pursuant to the provisions of  
24 chapter 536. This section and chapter 536 are nonseverable and if any of the powers vested with the  
25 general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and  
26 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any  
27 rule proposed or adopted after August 28, 2017, shall be invalid and void.

28 650.340. 1. The provisions of this section may be cited and shall be known as the "911  
29 Training and Standards Act".

30 2. Initial training requirements for ~~[telecommunicators]~~ telecommunicator first responders  
31 who answer 911 calls that come to public safety answering points shall be as follows:

32 (1) Police telecommunicator first responder, 16 hours;

33 (2) Fire telecommunicator first responder, 16 hours;

34 (3) Emergency medical services telecommunicator first responder, 16 hours;

35 (4) Joint communication center telecommunicator first responder, 40 hours.

36 3. All persons employed as a telecommunicator first responder in this state shall be required  
37 to complete ongoing training so long as such person engages in the occupation as a  
38 telecommunicator first responder. Such persons shall complete at least twenty-four hours of  
39 ongoing training every three years by such persons or organizations as provided in subsection 6 of

1 this section.

2 4. Any person employed as a telecommunicator on August 28, 1999, shall not be required to  
3 complete the training requirement as provided in subsection 2 of this section. Any person hired as a  
4 telecommunicator or a telecommunicator first responder after August 28, 1999, shall complete the  
5 training requirements as provided in subsection 2 of this section within twelve months of the date  
6 such person is employed as a telecommunicator or telecommunicator first responder.

7 5. The training requirements as provided in subsection 2 of this section shall be waived for  
8 any person who furnishes proof to the committee that such person has completed training in another  
9 state which is at least as stringent as the training requirements of subsection 2 of this section.

10 6. The board shall determine by administrative rule the persons or organizations authorized  
11 to conduct the training as required by subsection 2 of this section.

12 7. ~~[This section shall not apply to an emergency medical dispatcher or agency as defined in~~  
13 ~~section 190.100, or a person trained by an entity accredited or certified under section 190.131, or a~~  
14 ~~person who provides prearrival medical instructions who works for an agency which meets the~~  
15 ~~requirements set forth in section 190.134]~~ The board shall be responsible for the approval of training  
16 courses for emergency medical dispatchers. The board shall develop necessary rules and regulations  
17 in collaboration with the state EMS medical directors advisory committee, as described in section  
18 190.103, which may provide recommendations relating to the medical aspects of prearrival medical  
19 instructions.

20 8. A dispatch agency is required to have a memorandum of understanding with all  
21 ambulance services that it dispatches. If a dispatch agency provides prearrival medical instructions,  
22 it is required to have a medical director whose duties include the maintenance of standards and  
23 approval of protocols or guidelines.

24  
25 ~~[190.134. A dispatch agency is required to have a memorandum of~~  
26 ~~understanding with all ambulance services that it dispatches. If a dispatch agency~~  
27 ~~provides prearrival medical instructions, it is required to have a medical director,~~  
28 ~~whose duties include the maintenance of standards and protocol approval.]"; and~~

29  
30 Further amend said bill by amending the title, enacting clause, and intersectional references  
31 accordingly.