

HCS HB 301 -- PUBLIC SAFETY (Roberts)

COMMITTEE OF ORIGIN: Standing Committee on Crime Prevention and Public Safety

SPECIAL PROSECUTOR (Section 56.601)

This bill allows the Governor to appoint a special prosecutor for a period of up to five years if the rate of homicides in any circuit or prosecuting attorney's jurisdiction exceeds 35 cases per every 100,000 people and, after a review of certain crime statistics, the Governor determines there is a threat to public safety and health. The special prosecutor will have exclusive jurisdiction to initiate and prosecute certain offenses as specified in the bill. Funds for the special prosecutor will be provided by the state from the General Revenue Fund. The special prosecutor will have a budget and be authorized to hire up to 15 assistant special prosecuting attorneys and up to 15 staff members. These provisions are subject to an emergency clause.

SERVICES FOR FORMER INMATES (Section 217.830)

The bill provides that DOC must create a policy and procedures outlining for offenders how to apply for Medicaid and how to obtain various documentation, including birth certificates, Social Security cards, and a state identification cards, prior to the offender's release.

SPECIAL LICENSE PLATES (Section 301.3175)

The bill directs the Department of Revenue to issue the Back the Blue special license plate for non-apportioned vehicles of any classification for which it issues plates.

CONDITIONS OF RELEASE (Section 544.453)

The bill establishes certain factors that must be considered when a judge or judicial officer sets bail. The factors include whether the person poses a danger, is a flight risk, has committed certain offenses in the last five years, or has failed to appear in court as a condition for probation or parole for certain offenses within the last three years.

MINIMUM PRISON TERMS (Section 558.019)

Currently, certain offenses, including second degree murder, voluntary and involuntary manslaughter, first degree assault, and other offenses, have minimum prison terms for offenders with prior felony convictions.

This bill repeals those provisions relating to certain offenses and provides that all classes of felonies, except controlled substance offenses, shall be subject to minimum prison terms for offenders with prior felony convictions. However, a court may depart from the minimum prison term if the court finds substantial and compelling reasons, as specified in the bill, that imposing the minimum sentence would result in a substantial injustice or is not necessary for the protection of the public.

#### UNLAWFUL FIREARM OFFENSES (Sections 571.010, 571.030, and 571.070)

The bill amends the definition of "rifle" to include a firearm designed to be operated a certain way rather than designed or adapted to operate in a certain way.

The bill provides that a school officer commissioned by the district school board or a school protection officer, as described under Section 160.665 shall not be prohibited from carrying a firearm into any school, onto any school bus, or onto the premises of any function or activity sponsored or sanctioned by school officials or the district school board.

Current law provides that a person commits the offense of unlawful possession of a firearm if the person knowingly possesses a firearm and the person has been convicted of a felony. This bill changes the provision to apply only to individuals who have been convicted of a dangerous felony, as defined in the bill. The bill also specifies that a person commits the offense of unlawful possession of a firearm if the person knowingly has a firearm in his or her possession and the person is either on probation or parole for a felony other than a dangerous felony.

#### BLAIR'S LAW (Section 571.031)

This bill establishes "Blair's Law" which states a person commits the offense of unlawful discharge of a firearm if that person, with criminal negligence, discharges a firearm within or into the limits of any municipality. This provision does not apply if the person discharges a firearm as specified in the bill.

This bill contains a graduated penalty provision.

#### DISCLOSURE OF PERSONAL INFORMATION (Sections 575.095 and 578.710)

A person commits the offense of tampering with a judicial officer if the person disseminates, through any means, including posting on the Internet, the judicial officer's or the judicial officer's family's personal information. "Personal information" is defined

in the bill. Judicial officer, for the purpose of this bill, also includes a commissioner of state or federal court. If a violation of this section results in death or bodily injury to a judicial officer or a member of the judicial officer's family, the person who committed the offense will be guilty of a class B felony.

The bill also creates the offense of unlawful disclosure of personally identifiable information, which a person commits if he or she knowingly releases, publicizes, or otherwise publicly discloses personal information of an elected official or a member of the elected official's family with the intent to harass, intimidate, or cause death or bodily injury to the official or a member of his or her family. A violation of this offense is a class A misdemeanor, unless the violation was committed with the intent to influence an elected official in the performance of his or her official duties, in which case it is a class D felony.

LAW ENFORCEMENT (Sections 590.060, 590.1070, and 590.1075)

The bill also specifies that instructors at Missouri police academies must be approved by the POST Commission.

The bill also establishes the "Peace Officer Basic Training Tuition Reimbursement Program". Missouri residents who attend a basic law enforcement academy for training required to be a peace officer and who obtain full-time employment with a law enforcement agency, on or after September 1, 2023, may apply to have their tuition reimbursed under the program at a rate of 25% per year of employment, with full tuition reimbursed by the end of four years of employment. Qualifying government entities that pay for a person to attend the academy may submit for tuition reimbursement at the same rate. The POST Commission will be the administrative agency for implementation of the reimbursement program.

The bill also establishes the "Peace Officer Basic Training Tuition Reimbursement Fund", which will consist of moneys appropriated by the General Assembly, as well as any gifts, bequests, or donations, and the funds are to be used solely for the administration of the reimbursement program.