

CCS HCS SB 186 -- PUBLIC SAFETY

OFFICE OF CHILD ADVOCATE (Section 37.725)

Currently, the identity of a complainant or recipient shall not be disclosed by the Office of Child Advocate unless the complainant or his or her legal representative consents or a court orders the disclosure. The bill does allow for disclosure if requested by law enforcement as part of an investigation.

FEES TO HIGHWAY PATROL (Section 43.253)

This bill provides that a minimum fee of \$6 may be charged by the State Highway Patrol for any request where there are allowable fees of less than \$6. The \$6 fee shall be in place of any allowable fee of less than \$6.

The Superintendent of the State Highway Patrol may increase the minimum fee by not more than \$1 every other year following August 28, 2024. The minimum fee shall not exceed \$10.

MISSING CHILDREN (Sections 43.400, 43.401, and 210.795)

This bill modifies the definition of "missing child" in the context of law enforcement searches for missing children to include anyone under 18 years of age, foster children regardless of age, emancipated minors, homeless youth, and unaccompanied minors. Any agency; placement provider, including the Children's Division, within the Department of Social Services; parent; or guardian, with the care and custody of a child who is missing must file a missing child complaint with the appropriate law enforcement agency within two hours of determining the child is missing. The law enforcement agency must immediately submit information on the missing child to the National Center for Missing and Exploited Children (NCMEC). The law enforcement agency shall institute a proper investigation and search for the missing child and maintain contact with the agency or placement provider making the complaint. The missing child's entry shall not be removed from any database or system until the child is found or the case is closed.

In the case of a child in the custody of the state who is determined to be missing, the child's case manager must maintain information on the report and continue making contact with the child's family, juvenile officer, and guardian ad litem, and others, as specified in the bill. The case manager shall continue to contact law enforcement, as specified in the bill, and make quarterly reports to the court as to the child's status and efforts to locate the child. The Division shall not petition the court for a release of jurisdiction for the child or stop searching for the

child while the child is missing until the child reaches the age of 21.

The Division must develop protocols for conducting ongoing searches for children missing from care, as well as implement preventative measures to identify and mitigate risks to children who are at increased risk of running away, disappearing, or experiencing trafficking. The Division must ensure that each child's record in the care and custody of the Division has an updated photograph of the child.

Any employee or contractor with the Division, service providers contracted by the Division, child welfare agencies, other state agencies, or schools shall, upon becoming aware that an emancipated minor or homeless youth is missing, inform the appropriate law enforcement agency and NCMEC within 24 hours.

Within 24 hours of the missing child being found, the Division must assess whether the child was a victim of trafficking.

#### MISSOURI RAP BACK PROGRAM (Sections 43.539 and 43.540)

Currently, an entity participating in the Missouri Rap Back Program may request a person's updated criminal history record if the person has previously had a Missouri and national criminal record review within the previous six years. This bill repeals the six-year requirement.

#### COURT FEES FOR SERVICE OF PROCESS (Sections 57.280 and 488.435)

Currently, sheriffs and persons specially appointed to serve any summons, writ, subpoena, or other order of the court receive \$10 for each service, which the county treasurer makes payable to the State Treasurer and is deposited into the Deputy Sheriff Salary Supplementation Fund.

This bill requires the court clerk to collect \$10 as a court cost for service of any summons, writ, subpoena, or other order of the court when any person other than a sheriff is specifically appointed to serve in a county that receives funds from the Deputy Sheriff Salary Supplementation Fund. The State Treasurer must deposit the funds into the Deputy Sheriff Salary Supplementation Fund.

#### SHERIFFS' RETIREMENT FUND (Sections 57.952, 57.961, 57.967, and 57.991)

Currently, neither the General Assembly nor the governing body of a county shall appropriate funds for deposit in the Sheriffs'

Retirement Fund. This bill provides that the General Assembly and the governing body of a county may appropriate funds for deposit in the Sheriffs' Retirement Fund. Additionally, the Board of the Sheriffs' Retirement System may accept gifts, donations, grants, and bequests from public or private sources for the Sheriffs' Retirement Fund.

Furthermore, this bill provides that each person who is a member of the Sheriffs' Retirement System on or after January 1, 2024, is required to contribute 5% of his or her pay to the Retirement System. Each county is required to make the payroll deductions for member contributions from the same source of funds used for payment of compensation to the members and shall transmit the moneys to the Board for deposit in the Sheriffs' Retirement Fund. The deductions do not reduce the member's pay for purposes of computing benefits. When paid to the Sheriffs' Retirement System, each of the contributions is credited to the member from whose compensation the contributions were deducted. Additionally, the contributions shall be treated as employee contributions for purposes of federal income tax purposes.

Furthermore, this bill provides that a former member who is not vested may request a refund of his or her contributions, which shall be paid after 90 days from the later of the date of termination or the date of request. The bill provides that the normal annuity provided to a retired member of the Sheriffs' Retirement System shall not be less than \$1,000 per month.

Currently, the benefits provided by the Sheriffs' Retirement System shall in no way affect the eligibility for retirement benefits from the Missouri Local Government Employees' Retirement System (LAGERS) or any other local government retirement or pension system, or in any way have the effect of reducing retirement benefits in such systems, or reducing compensation or mileage reimbursement of employees. This bill provides that this provision shall apply to members of the system prior to December 31, 2023. Any new member employed on or after January 1, 2024, that is a member of another state or local retirement or pension system shall cease membership in any other state or local retirement pension system, except that the member shall be entitled to benefits accrued through December 31, 2023, or the commencement of membership in the Sheriffs' Retirement System, whichever is later.

EMERGENCY MEDICAL SERVICES (Sections 67.145, 70.631, 170.310, 190.091, 190.100, 190.103, 190.134, 190.142, 190.147, 192.2405, 208.1032, 321.225, 321.620, 537.037, 650.320, 650.330, and 650.340)

This bill adds "telecommunicator first responder" to the definition of "first responder" in various provisions of law. Additionally,

this bill provides that the Department of Health and Senior Services shall offer a vaccination program to certain Missouri State Highway Patrol telecommunicators who may be exposed to infectious diseases.

Furthermore, this bill provides that political subdivisions may elect to cover telecommunicator first responders as public safety personnel.

The bill repeals references to ambulance attendants, drivers, emergency medical technician paramedics, mobile emergency medical technicians, emergency medical technician basic, and EMT intermediate and adds references to paramedics in various statutes relating to emergency medical services.

Currently, emergency medical dispatchers must complete an emergency medical dispatcher course that meets or exceeds the national curriculum of the U.S. Department of Transportation. This bill modifies that training requirement and instead requires emergency medical dispatchers to complete training courses approved by the Missouri 911 Service Board. Additionally, the Service Board shall develop rules and regulations, in collaboration with the State EMS Medical Director's Advisory Committee, relating to the medical aspects of pre-arrival medical instructions.

This bill makes several technical changes to the emergency medical dispatcher statutes.

Currently, paramedic training programs used as part of an emergency medical technician license shall be accredited by the Commission on Accreditation of Allied Health Education Programs (CAAHEP) or hold a CAAHEP letter of review. This bill repeals this accreditation requirement and such programs shall instead be accredited as required by the National Registry of Emergency Medical Technicians.

#### RESIDENCY REQUIREMENTS FOR CITY OF ST. LOUIS POLICE OFFICERS AND PUBLIC SAFETY EMPLOYEES (Sections 84.344 and 285.040)

Currently, commissioned and civilian personnel of the St. Louis Police Department or any public safety employee of the City of St. Louis hired prior to September 1, 2023, cannot be subject to a residency requirement more restrictive than being required to maintain a primary residence within a one-hour response time, and such personnel hired after August 31, 2023, may be subject to a residency requirement no more restrictive than being required to maintain a primary residence within the city for a total of seven years, and then they can move out of the city but must maintain a primary residence within a one-hour response time.

This bill repeals the provision related to hire date and limits residency requirements for any commissioned or civilian personnel of the St. Louis police department or any employee of the City of St. Louis to being no more restrictive than maintaining a primary residence within a one-hour response time.

#### KANSAS CITY POLICE DEPARTMENT (Sections 84.480 and 84.510)

This bill repeals provisions relating to a mandatory salary range and age limitation for the Kansas City chief of police and allows the Board of Police Commissioners to establish a maximum salary amount by resolution.

Additionally, this bill repeals provisions relating to a mandatory salary cap for Kansas City police officers as specified in the bill and repeals provisions that states no more than 25% of officers of any rank receiving the maximum rate of pay are eligible for additional pay.

#### PUBLIC SAFETY SALES TAXES (Sections 94.900 and 94.902)

This bill adds the cities of Smithville, Odessa, Marshall, Cole Camp, Branson West, and Clinton to the list of cities authorized to impose a sales tax, upon voter approval, for the purpose of improving public safety.

#### FIRST RESPONDERS ADMINISTERING NALOXONE (Sections 190.255 and 195.206)

This bill allows a first responder to administer naloxone or any other drug or device approved by the United States Food and Drug Administration that blocks the effects of an opioid overdose.

#### SALES TAX FOR EMERGENCY SERVICES (Section 190.327)

Currently, an emergency services board operating in Jefferson County shall not have a sales tax for emergency services or for providing central dispatching for emergency services greater than .25%. This bill repeals this provision.

#### EMERGENCY TELEPHONE SERVICE CHARGES (Section 190.460)

Currently, cities and counties that prohibited emergency telephone service charges may adopt such charges and notify the Department of Revenue by November 15, 2019, and the Department shall notify the Missouri 911 Service Board by December 1, 2019.

This bill repeals those dates and provides that the Department must notify the board within 60 days of receiving notice.

#### PEER SUPPORT COUNSELING PROGRAMS (Section 190.1010)

This bill creates new provisions relating to communications during peer support counseling programs for certain first responders. With certain exceptions, specified in the bill, a communication made by a first responder or peer support advisor in a peer support counseling session, as well as any oral or written information conveyed in the peer support counseling session, shall be confidential and shall not be disclosed by any person participating in the peer support counseling session or released to any person or entity. Any communication relating to a peer support counseling session made confidential under this bill that is made between peer support advisors and the supervisors or staff of a peer support counseling program, or between the supervisor or staff of a peer support counseling program, shall be confidential and shall not be disclosed, except as specified in the bill.

An employer of a first responder that establishes a peer support counseling program shall develop a policy or rule that imposes disciplinary measures against a peer support advisor who violates the confidentiality of the peer support counseling program by sharing information learned in a peer support counseling session with personnel who are not supervisors or staff of the peer support counseling program, unless otherwise exempted under the provisions of this bill.

An employer may not mandate that any employee participate in a peer support counseling program.

#### BACKGROUND CHECKS FOR MARIJUANA FACILITIES (Section 195.817)

As specified in this bill, the Department of Health and Senior Services shall require all employees, contractors, owners, and volunteers of marijuana facilities to submit fingerprints to the State Highway Patrol for a state and federal criminal background check. The State Highway Patrol must notify the Department of any criminal history record information or lack thereof discovered on the individual. All such records shall be accessible and available to the Department.

#### CHILD PLACEMENT (Sections 210.305 and 210.565)

This bill modifies current law regarding diligent searches for grandparents or relatives when a child is removed from a home and in need of placement. The bill defines what a diligent search for relatives must entail and what notice should be provided to any

relatives of their rights to become a foster parent for the child. Relatives have 30 days to respond to a notice in order to have preferential placement in accordance with current law. All diligent search efforts and placements shall be completed within six months of the child entering the custody of the state, unless the court determines otherwise by clear and convincing evidence.

This bill modifies preferential placement for relatives by removing the distinction between relatives in the third degree and other relatives and adding foster parents or kinship caregivers with whom a child has resided for nine months or more in the definition of a relative.

#### WORKERS COMPENSATION FOR FIRST RESPONDERS (Section 287.067)

This bill establishes Post-Traumatic Stress Disorder (PTSD), as described in the Diagnostic and Statistical Manual of Mental Health Disorders, Fifth Edition, (DSM-5) as a compensable occupational disease under Workers' Compensation when diagnosed in first responders, as defined in by law. A first responder does not have to have had a physical injury in order to be eligible for benefits, but preexisting PTSD is not compensable. The time for notice of injury or death in cases of compensable PTSD is measured from exposure to one of the qualifying stressors listed in the DSM-5 criteria, or the diagnosis of the disorder, whichever is later. Any claim for compensation for an injury shall be properly noticed to the Division of Workers' Compensation, within the Department of Labor and Industrial Relations, within 52 weeks after the qualifying exposure, or the diagnosis of the disorder, whichever is later.

#### VOLUNTARY CRITICAL ILLNESS BENEFITS POOL (Sections 287.245 and 320.400)

Currently, a voluntary cancer benefits pool has been established for the purpose of providing benefits for firefighters who have contracted cancer in connection with employment as a firefighter. This bill expands the pool to allow other first responders, specifically emergency medical technician-basic, emergency medical technician-paramedic, and telecommunicators, to have access to benefits through the pool for exposure to a diagnosable trauma stress event, or diagnosable cumulative post-traumatic stress injury over the course of a career. The bill additionally allows covered individuals to join the pool. Furthermore, any professional organization formed for the purpose, in whole or in part, of representing or providing resources for any covered individual may make contributions to the pool on behalf of any covered individual without the organization itself joining the pool.

A payment may be made from the pool to a covered individual for the actual award, up to \$10,000, for seeking treatment with a licensed psychiatrist or a licensed psychologist and any subsequent courses of treatment recommended by such licensed individuals. If a covered individual returns to the same position of employment after a post-traumatic stress injury diagnosis, the covered individual may receive benefits in this section for the continued treatment of the injury or any subsequently covered post-traumatic stress injury diagnosis.

Currently, the State Fire Marshal is allowed to disburse grants to voluntary critical illness pools. This provision is set to expire on June 30, 2023, the bill repeals the sunset date.

#### BACK THE BLUE LICENSE PLATES (Section 301.3175)

This bill provides that nonapportioned motor vehicles may be issued "Back the Blue" license plates by the Department of Revenue.

#### QUALIFICATIONS OF FIRE PROTECTION EMPLOYEES (Sections 320.210)

This bill repeals the requirements that investigators must:

- (1) Be at least 25 years old and have either a minimum of five years experience in fire risk inspection, prevention, or investigation work, or a degree in fire protection engineering;
- (2) Be a taxpaying resident of Missouri for at least three years immediately preceding his or her appointment; and
- (3) Possess ordinary physical strength and pass a physical and mental examination.

Finally, this bill provides that a person appointed as an investigator shall be a resident of Missouri at the time of appointment and shall not accept other employment that would pose a conflict of interest while employed as a fire protection inspector or employee.

#### FIRE PROTECTION SALES TAX (Section 321.246)

Currently, certain fire protection districts are authorized to impose a sales tax for the purposes of funding the fire protection district. This bill makes a technical change to charter counties.

#### FINANCIAL INSTITUTIONS (Section 362.034)

This bill allows any entity that operates as a marijuana facility licensed or certified under Article XIV of the Constitution of Missouri to request in writing that a state or local licensing authority or agency, including but not limited to the Department of Health and Senior Services or Department of Revenue, share the entity's application, license, or other regulatory and financial information with a banking institution. The written request must include a waiver giving authorization for the transfer of the individualized data, information, or records and waiving any confidentiality or privilege that applies to that individualized data, information, or records. A state or local licensing authority or agency is permitted to share the entity's information with the banking institution's state and federal supervisory agencies as well.

#### SCRAP YARDS (Section 407.302)

Currently, no scrap yard shall purchase metal that can be identified as belonging to specified entities. This bill adds twisted pair copper telecommunications wiring of certain gauge burnt wire to those items.

#### BAIL CONSIDERATIONS (Section 544.453)

This bill establishes certain factors that must be considered when a judge or judicial officer sets bail. Those factors are that the defendant:

- (1) Poses a danger to a victim of crime, the community, any witness to the crime, or to any other person;
- (2) Is a flight risk;
- (3) Has committed a violent misdemeanor offense, sexual offense, or felony offense in this state or any other state in the last five years; and
- (4) Has failed to appear in court as a required condition of probation or parole for a violent misdemeanor or felony within the last three years.

#### CREDIT FOR TIME SERVED (Section 558.031)

Currently, a person can receive credit toward a sentence of imprisonment for all jail time served after conviction and before the commencement of the sentence.

This bill provides that a person shall receive credit toward a sentence of imprisonment for all jail time served after the offense

occurred. The credit shall be based on the certificate of all applicable jail-time credit from the sheriff who delivered the person into confinement in a correctional center.

#### OFFENSE OF PROPERTY DAMAGE IN THE FIRST DEGREE (Sections 569.010 and 569.100)

This bill adds to the offense of property damage in the first degree if such person knowingly damages, modifies, or destroys a teller machine or otherwise makes it inoperable.

This offense is a class D felony unless committed for the purpose of executing any scheme or deception to defraud or obtain any property, the value of which exceeds \$750 or the damage to the teller machine exceeds \$750, in which case it is a class C felony. It is a class B felony if committed for the purpose of obtaining the personal financial credentials of another person or if the person has committed a second or subsequent offense of damaging a teller machine.

#### OFFENSE OF STEALING (Section 570.010 and 570.030)

This bill adds that the offense of stealing shall be a class C felony if the property stolen is a teller machine or the contents of a teller machine including cash regardless of the value or amount stolen.

Additionally, this bill adds that the offense of stealing shall be a class E felony if the property stolen is a letter, post card, or package delivered by common carrier.

#### FIREARMS IN SCHOOLS (Section 571.030)

This bill provides that a person who is a school officer commissioned by the school board or a school protection officer does not commit the offense of unlawful use of weapons when he or she brings a firearm into a school or onto a school bus.

#### OFFENSE OF TAMPERING WITH A JUDICIAL OFFICER (Section 575.095)

This bill provides that a person commits the offense of tampering with a judicial officer if the person disseminates through any means the judicial officer's or the judicial officer's family's personal information as provided in the bill. Additionally, this bill provides a judicial officer shall include a judge or commissioner of state or federal court. If a judicial officer or a member of his or her family is injured or dies as a result of a violation of this section, the offense is a class B felony.

OFFENSE OF INTERFERENCE WITH TRANSPORTATION OF LIVESTOCK (Section 578.156)

As specified in this bill, a person commits the offense of interference with the transportation of livestock if the person knowingly:

- (1) Stops or otherwise interferes with a motor vehicle transporting livestock;
- (2) Provokes or disturbs livestock when the livestock is confined in a motor vehicle; or
- (3) Puts or places a substance on the livestock that affects its health or use.

The offense of interference with the transportation of livestock is a class E felony for the first offense and a class C felony for any subsequent offense.

The defendant may assert an affirmative defense of consent by proving by a preponderance of the evidence that he or she had the consent of the owner of the livestock. Additionally, this bill shall not apply to law enforcement officers enforcing the law.

OFFENSE OF DISTRIBUTION OF A DRUG MASKING PRODUCT (Section 579.041)

This bill creates the offense of unlawful distribution, delivery, or sale of a drug masking product, which includes synthetic urine or other substances used to defraud an alcohol or drug screening test, if the person distributes, delivers, or sells a drug masking product. This offense shall be a class A misdemeanor.

FENTANYL TESTING (Section 579.088)

As specified in this bill, it is not unlawful to manufacture, possess, sell, deliver, or use any device, equipment, or other material for the purpose of analyzing controlled substances for the presence of fentanyl.

CHIEF OF POLICE TRAINING (Section 590.033)

This bill provides that the Peace Officer Standards and Training (POST) Commission shall establish a training course for police chiefs that shall be a minimum of 40 hours. All police chiefs appointed after August 28, 2023, shall complete the course within six months of appointment as police chief, unless exempt as provided in the bill. Any law enforcement agency that has a police chief who fails to complete the course can not receive any POST

Commission training funding or other state or federal grant funding until the police chief completes the training course.

#### PEACE OFFICER BASIC TRAINING (Section 590.040)

Currently, the POST Commission sets a minimum number of basic training hours for licensure for peace officers of no lower than 470 hours and no higher than 600 with certain exceptions as provided in law. This bill changes this requirement to be no lower than 600 hours.

#### DISCIPLINARY PROCEDURES FOR PEACE OFFICERS (Section 590.080)

This bill adds additional grounds for when the Director of the Department of Public Safety shall have cause to discipline peace officers. This bill specifies that any peace officer may be disciplined who:

- (1) Is unable to perform the function of a peace officer with reasonable competency or reasonable safety;
- (2) Has committed any crime or has been convicted in a criminal prosecution under any state laws, any federal laws, or any laws of another country, regardless if a sentence was imposed;
- (3) Has committed any act that involves moral turpitude or a reckless disregard for the safety of the public;
- (4) Has tested positive for a controlled substance without a valid prescription;
- (5) Is subject to an order suspending or revoking a peace officer license from another state, territory, the federal government, or any peace officer licensing authority; or
- (6) Has committed any act of gross misconduct indicating inability to function as a peace officer.

#### PEACE OFFICER TUITION REIMBURSEMENT (Sections 590.1070 and 590.1075)

This bill establishes the "Peace Officer Basic Training Tuition Reimbursement Program" within the Department of Public Safety.

The Program provides reimbursement for qualifying Missouri residents or government entities who have paid tuition at a state licensed training center required for peace officer licensure. The POST Commission shall be responsible for the implementation of this Program as provided in the bill. Tuition reimbursement shall be

subject to the availability of funds and shall be available to certain full-time peace officers as provided in the bill.

This bill also creates the "Peace Officer Basic Training Tuition Reimbursement Fund", which shall consist of money appropriated by the General Assembly and any gifts or donations.

#### ELECTRONIC NOTIFICATION TO VICTIMS OF CERTAIN CRIMES (Section 595.209)

Currently, a victim of certain crimes shall be notified by the prosecutor's office and law enforcement of certain filings or status updates in the criminal case of which he or she is a victim.

This bill adds that the victim shall be notified by certified mail or by electronic mail.

#### CLOSED RECORDS (Section 610.021)

This bill specifies that information on security measures, GPS data, data provided to a tip line, or information in a suspicious activity report provided to certain public entities shall be closed records.

#### PERSONAL DOCUMENTS FOR EXONEREES (Section 1)

The bill specifies that the Department of Corrections shall develop a policy to provide exonerees with birth certificates, Social Security cards, and state identification prior to release from a correctional center. Additionally, the Department must provide the same services to an exoneree that other offenders receive upon release from a correctional facility.