

SECOND REGULAR SESSION

HOUSE BILL NO. 1482

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE CHRIST.

3521H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 590.653, RSMo, and to enact in lieu thereof one new section relating to civilian review of law enforcement.

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

Section A. Section 590.653, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 590.653, to read as follows:

590.653. 1. Each city, county, and city not within a county may establish a civilian review board, **division of civilian oversight, or any other entity that provides civilian review or oversight of police agencies,** or may use an existing civilian review board, ~~which~~ **division of civilian oversight, or other named entity that** has been appointed by the local governing body, with the authority to investigate allegations of misconduct by local law enforcement officers towards members of the public. The members shall not receive compensation but shall receive reimbursement from the local governing body for all reasonable and necessary expenses.

2. The board, **division, or other such entity** shall have ~~the~~ **its** power ~~to receive, investigate, make findings and recommend~~ **limited to receiving, investigating, making findings upon, and recommending** disciplinary action upon complaints by members of the public against ~~members of the police department~~ **local law enforcement officers** that allege misconduct involving excessive use of force, abuse of authority, discourtesy, or use of offensive language~~;~~ including, but not limited to, slurs relating to race, ethnicity, religion, gender, sexual orientation, and disability. The findings and recommendations of the board, **division, or other such entity,** and the basis therefor, shall be submitted to the chief law enforcement official. No finding or recommendation shall be based solely upon an unsworn

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.

18 complaint or statement, nor shall prior unsubstantiated, unfounded, or withdrawn complaints
19 be the basis for any such findings or recommendations. **Only the powers specifically**
20 **granted under this subsection are authorized and any authority granted to boards,**
21 **divisions, or other such entities outside the scope of the powers listed within this**
22 **subsection are expressly preempted and void as a matter of law.**

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