

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

Offered By

1 AMEND House Committee Substitute for Senate Bill No. 189, Page 143, Section 590.060, Line 23,  
2 by inserting after all of the said section and line the following:

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4 "590.100. 1. The director shall have cause to deny any application for a peace officer  
5 license or entrance into a basic training course when the director has knowledge that would  
6 constitute cause to discipline the applicant if the applicant were licensed.

7 2. The director shall have cause to deny any application for a peace officer license or  
8 entrance into a basic training course when the applicant had a peace officer license that was  
9 permanently revoked or surrendered.

10 3. The director shall have cause to deny any application for a peace officer license or  
11 entrance into a basic training course when the applicant is not a citizen of the United States.

12 4. When the director has knowledge of cause to deny an application pursuant to this section,  
13 the director may grant the application subject to probation or may deny the application. The director  
14 shall notify the applicant in writing of the reasons for such action and of the right to appeal pursuant  
15 to this section.

16 [3.] 5. Any applicant aggrieved by a decision of the director pursuant to this section may  
17 appeal within thirty days to the administrative hearing commission, which shall conduct a hearing to  
18 determine whether the director has cause for denial, and which shall issue findings of fact and  
19 conclusions of law on the matter. The administrative hearing commission shall not consider the  
20 relative severity of the cause for denial or any rehabilitation of the applicant or otherwise impinge  
21 upon the discretion of the director to determine whether to grant the application subject to probation  
22 or deny the application when cause exists pursuant to this section. Failure to submit a written  
23 request for a hearing to the administrative hearing commission within thirty days after a decision of  
24 the director pursuant to this section shall constitute a waiver of the right to appeal such decision.

25 [4.] 6. Upon a finding by the administrative hearing commission that cause for denial exists,  
26 the director shall not be bound by any prior action on the matter and shall, within thirty days, hold a  
27 hearing to determine whether to grant the application subject to probation or deny the application. If  
28 the licensee fails to appear at the director's hearing, this shall constitute a waiver of the right to such  
29 hearing.

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1           ~~[5.]~~ 7. The provisions of chapter 621 and any amendments thereto, except those provisions  
2 or amendments that are in conflict with this chapter, shall apply to and govern the proceedings of the  
3 administrative hearing commission pursuant to this section and the rights and duties of the parties  
4 involved."; and

5  
6 Further amend said bill by amending the title, enacting clause, and intersectional references  
7 accordingly.