

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Bill No. 189, Page 143, Section 590.060, Line 23, by
2 inserting after said section and line the following:
3

4 "590.653. 1. Each city, county and city not within a county may establish a civilian review board,
5 division of civilian oversight, or any other entity which provides civilian review or oversight of police
6 agencies, or may use an existing civilian review board or division of civilian oversight or other named entity
7 which has been appointed by the local governing body, with the authority to investigate allegations of
8 misconduct by local law enforcement officers towards members of the public. The members shall not receive
9 compensation but shall receive reimbursement from the local governing body for all reasonable and
10 necessary expenses.

11 2. The board, division, or any other such entity, shall have the power solely limited to receiving,
12 investigating, making findings, and recommending disciplinary action upon complaints by members of the
13 public against members of the police department that allege misconduct involving excessive use of force,
14 abuse of authority, discourtesy, or use of offensive language, including, but not limited to, slurs relating to
15 race, ethnicity, religion, gender, sexual orientation, and disability. The findings and recommendations of the
16 board, division, or other entity and the basis therefor, shall be submitted to the chief law enforcement official.
17 No finding or recommendation shall be based solely upon an unsworn complaint or statement, nor shall prior
18 unsubstantiated, unfounded or withdrawn complaints be the basis for any such findings or recommendations.
19 Only the powers specifically granted herein are authorized and any and all authority granted to future or
20 existing boards, divisions, or entities outside the scope of the powers listed herein are expressly preempted
21 and void as a matter of law.

22 3. The provisions of subsection 2 of this section shall not apply to any city with more than one
23 hundred twenty-five thousand but fewer than one hundred sixty thousand inhabitants and any such city may
24 establish such board, division, or any other such entity and may grant to such board, division, or any other
25 entity the power to receive, investigate, make findings, and recommend disciplinary action upon complaints
26 by members of the public against members of the police department."; and
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28 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Action Taken _____ Date _____