

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 916, Page 8, Section 558.041, Line 79, 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
5 board, division of civilian oversight, or any other entity which provides civilian review or oversight
6 of police agencies, or may use an existing civilian review board or division of civilian oversight or
7 other named entity which has been appointed by the local governing body, with the authority to
8 investigate allegations of misconduct by local law enforcement officers towards members of the
9 public. The members shall not receive compensation but shall receive reimbursement from the local
10 governing body for all reasonable and necessary expenses.

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19 unfounded or withdrawn complaints be the basis for any such findings or recommendations.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

23 3. The provisions of subsection 2 of this section shall not apply to any city with more than
24 one hundred twenty-five thousand but fewer than one hundred sixty thousand inhabitants and any
25 such city may establish such board, division, or any other such entity and may grant to such board,
26 division, or any other entity the power to receive, investigate, make findings, and recommend
27 disciplinary action upon complaints by members of the public against members of the police
28 department."; and
29

30 Further amend said bill by amending the title, enacting clause, and intersectional references
31 accordingly.

Action Taken _____ Date _____