

FIRST REGULAR SESSION

HOUSE BILL NO. 494

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE CHRIST.

1517H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 84.015, 84.020, 84.030, 84.040, 84.060, 84.070, 84.080, 84.090, 84.095, 84.100, 84.110, 84.120, 84.130, 84.150, 84.160, 84.170, 84.175, 84.180, 84.190, 84.200, 84.210, 84.240, 84.250, 84.265, 84.330, 84.340, 84.341, 84.342, 84.343, 84.344, 84.345, 84.346, 84.347, and 105.726, RSMo, and to enact in lieu thereof twenty-five new sections relating to the operation of certain law enforcement agencies, with penalty provisions.

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

Section A. Sections 84.015, 84.020, 84.030, 84.040, 84.060, 84.070, 84.080, 84.090, 2 84.095, 84.100, 84.110, 84.120, 84.130, 84.150, 84.160, 84.170, 84.175, 84.180, 84.190, 3 84.200, 84.210, 84.240, 84.250, 84.265, 84.330, 84.340, 84.341, 84.342, 84.343, 84.344, 4 84.345, 84.346, 84.347, and 105.726, RSMo, are repealed and twenty-five new sections 5 enacted in lieu thereof, to be known as sections 84.012, 84.015, 84.020, 84.030, 84.040, 6 84.060, 84.090, 84.100, 84.120, 84.130, 84.150, 84.160, 84.170, 84.180, 84.190, 84.200, 7 84.210, 84.225, 84.250, 84.325, 84.330, 84.340, 84.341, 84.342, and 105.726, to read as 8 follows:

84.012. In all cities of this state not within a county, the common council or 2 municipal assembly of such cities may pass ordinances for preserving order; securing 3 property and persons from violence, danger, or destruction; protecting public and 4 private property; and promoting the interests and ensuring the good governance of the 5 cities, but no charter amendment or ordinances heretofore passed, or that may hereafter 6 be passed, by the common council or municipal assembly of the cities, or enacted by 7 initiative petition, shall, in any manner, conflict or interfere with the powers or the

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.

8 **exercise of the powers of the boards of police commissioners of the cities as created by**
9 **section 84.020, nor shall the cities or any officer or agent of the corporation of the cities,**
10 **or the mayor thereof, in any manner impede, obstruct, hinder, or interfere with the**
11 **boards of police commissioners, or any officer, agent, or servant thereof or thereunder.**

84.015. Venue for any civil action involving the board of police commissioners **in**
2 **their official capacity**, established pursuant to section 84.020, shall be appropriate in the
3 twenty-second judicial circuit.

84.020. 1. In all cities [~~of this state that now have, or may hereafter attain, a~~
2 ~~population of five hundred thousand inhabitants or over]~~ **not within a county**, there shall be,
3 and is hereby established, within and for said cities, a board of police **commissioners**, to
4 consist of four **citizen** commissioners, as provided in sections 84.040 to 84.080, **to be the**
5 **governing body of the permanent police force pursuant to section 84.100**, together with
6 the mayor of said cities for the time being, or whosoever may be officially acting in that
7 capacity, and said board shall **annually** appoint one of its members as president, [~~and~~] one
8 member who shall act as vice president [~~during the absence of the president~~], **and one**
9 **member who shall act as board secretary**; and such president or vice president shall be the
10 executive officer of the board and shall act for it when the board is not in session.

11 **2. The board shall consist of five commissioners, one of whom is the mayor of a**
12 **city not within a county, one citizen commissioner appointed at the sole discretion of the**
13 **governor, and three citizen commissioners appointed as provided under subdivision (2)**
14 **of this subsection. Citizen commissioners shall be residents of the city for not less than**
15 **three years preceding their appointment. Except for the mayor, no commissioner shall**
16 **be nominated for or hold any other elective or appointed political office. If any citizen**
17 **commissioner is nominated for or elected to any elective or appointed political office,**
18 **such commissioner shall forfeit the appointment and shall immediately vacate his or her**
19 **office. The mayor of a city not within a county shall automatically be a member of the**
20 **board, while the remaining inaugural commissioners shall be appointed as follows:**

21 **(1) One citizen commissioner to be appointed at the sole discretion of the**
22 **governor; and**

23 **(2) The remaining three citizen commissioners shall be appointed by the**
24 **governor from three separate panels of candidates submitted to the governor, including**
25 **one candidate submitted by the mayor of a city not within a county and up to four**
26 **candidates submitted by the local fraternal organizations representing the rank of police**
27 **officer within the city not within a county. The number of candidates submitted by the**
28 **local fraternal organizations shall be based on one selection per two hundred fifty total**
29 **active members of which they represent from the St. Louis Metropolitan Police**
30 **Department, not to exceed a total of three selections per organization.**

31 **3. Any member of the board may be removed for cause with the approval of a**
32 **majority of the other board members, but such member shall first be presented with a**
33 **written statement of the reasons for removal and shall have the opportunity for a**
34 **hearing by the board to establish cause for removal. The decision for removal of a**
35 **board member is final. However, the removed member may appeal their removal to the**
36 **twenty-second judicial circuit court.**

37 **4. A majority of the board shall constitute a quorum for the transaction of**
38 **business, but no action shall be taken by the board or deemed valid unless three**
39 **concurring votes are cast.**

40 **5. The board shall have the power to summon and compel the attendance of**
41 **witnesses before the board and to compel the production of documents and other**
42 **evidence, whenever necessary in the discharge of its duties, and shall have the power to**
43 **administer oaths or affirmations to any person appearing or called before it.**

44 **6. The board shall have the following powers and duties:**

45 **(1) To receive input from the chief of police, in order to formulate and approve**
46 **policies governing the operation and conduct of the permanent police force pursuant to**
47 **section 84.100;**

48 **(2) To appoint as a chief of police any person who shall be responsible to the**
49 **board for proper execution of the policies, duties, and responsibilities established by the**
50 **board for the administration of the police department, and to remove the chief pursuant**
51 **to section 106.273;**

52 **(3) To hear and determine appeals from the decisions of the chief of police on**
53 **disciplinary matters arising with the department, pursuant to section 590.502; however,**
54 **at the time of the effective date of this act and until such time as the board adopts other**
55 **investigative and disciplinary policies and procedures not inconsistent with section**
56 **590.502, discipline and investigative procedures for commissioned and civilian**
57 **employees of the police force shall be regulated by rule 7 of the police manual of the**
58 **police department in effect as of November 4, 2013; except that, where rule 7 is in**
59 **conflict with section 590.502, the board shall comply with the requirements of section**
60 **590.502. Under no circumstances shall the board initially or hereafter adopt**
61 **investigative and disciplinary procedures that do not include the summary hearing**
62 **board procedures provided for in rule 7 of the police manual of the police department in**
63 **effect as of November 4, 2013;**

64 **(4) To promulgate a manual of rules and regulations for the qualifications and**
65 **conduct of personnel of the police department and its operation;**

66 **(5) To have such other powers and duties with respect to police administration**
67 **and law enforcement as provided by statute;**

68 **(6) To regulate and license all private watchmen, private detectives, and private**
69 **police serving or acting in the city and no person shall act as such without first having**
70 **obtained such license. Penalties for the violation of regulations promulgated by the**
71 **board under this subsection shall be prescribed by ordinance.**

84.030. 1. ~~Beginning on [January 9, 1989, the governor of the state of Missouri, by~~
2 ~~and with the advice and consent of the senate, shall appoint the four commissioners provided~~
3 ~~for in section 84.020, and one commissioner shall be appointed for a term of one year; one~~
4 ~~commissioner shall be appointed for a term of two years; one commissioner shall be~~
5 ~~appointed for a term of three years; one commissioner shall be appointed for a term of four~~
6 ~~years] August 28, 2025, and no later than September 28, 2025, the four citizen~~
7 **commissioners shall be appointed as provided under section 84.020 and shall serve as**
8 **follows:**

9 **(1) One citizen commissioner appointed by the governor shall serve for a term of**
10 **one year; and**

11 **(2) Of the three remaining citizen commissioners selected by the governor, one**
12 **shall serve for a term of two years, one shall serve for a term of three years, and one**
13 **shall serve for a term of four years.**

14

15 Their successors shall each be appointed for a term of four years, and said commissioners
16 shall hold office for their term of appointment and until their successors shall have been
17 appointed and qualified. ~~[In case of a vacancy in said board for any cause whatsoever, it shall~~
18 ~~be filled by appointment for the unexpired term, in the same manner as in the case of original~~
19 ~~appointments. The governor shall issue commissions to the persons so appointed, designating~~
20 ~~the time for which they are appointed in case the appointment is to fill an unexpired term~~
21 ~~occasioned by death, resignation or any other cause, and whenever the term of office of any~~
22 ~~commissioner expires, the appointment of his successor shall be for four years. The~~
23 ~~commissioners now holding offices under existing laws in any city of this state to which~~
24 ~~sections 84.010 to 84.340 apply are to hold their offices until the expiration of their terms, and~~
25 ~~their successors are duly appointed and qualified.]~~

26 **2. With the exception of the citizen commissioner appointed at the sole discretion**
27 **of the governor, whenever a vacancy occurs on the commission the governor shall fill the**
28 **vacancy for the unexpired term from a panel of names determined by the formula**
29 **established under subsection 2 of section 84.020.**

84.040. The ~~[said]~~ **citizen** commissioners shall be ~~[citizens]~~ **residents** of the state of
2 Missouri, and shall have been residents of the cities for a period of ~~[four]~~ **three** years next
3 preceding their appointment; they shall, except as specified in sections **84.020 and 84.030**
4 ~~[and 84.080]~~, hold their offices for four years, and until their respective successors shall have

5 been appointed and qualified, and receive each a salary of one thousand dollars per annum,
6 payable monthly; before entering upon the duties of their said offices, the said commissioners
7 and the said mayor shall take and subscribe before a circuit or associate circuit judge of the
8 circuit court of judicial circuit in which said cities shall be located, or the clerk thereof, the
9 oath or affirmation prescribed by the Constitution of the state of Missouri, and shall also take
10 and subscribe before the same judge or clerk the further oath or affidavit that in any and every
11 appointment or removal to be made by them to or from the police force created and to be
12 organized by them under sections ~~[84.010 to 84.340]~~ **84.012 to 84.342**, they will in no case
13 and under no pretext appoint or remove any policeman or officer of police, or other person
14 under them, on account of the political opinions of such police officer or other person, or for
15 any other cause or reason than the fitness or unfitness of such a person, in the best judgment
16 of such commissioners, for the place for which he shall be appointed, or from the place from
17 which he shall be removed. The said oaths or affirmations shall be recorded and preserved
18 among the records of the said circuit court.

84.060. 1. The board shall appoint a secretary to ~~[act as such for]~~ **staff** the board of
2 police commissioners, to be appointed in the same manner as other officers, and such
3 appointment shall be additional to the number of **board** appointments herein provided. The
4 secretary shall serve at the pleasure of the board.

5 2. The salary of the secretary of the board shall be determined and fixed by the board
6 of police commissioners, and no other provisions of this chapter shall apply in the
7 determination of the amount of the salary of the secretary.

8 3. Every person appointed to serve as secretary shall be a resident of the city.

84.090. The duties of the boards of police hereby created shall be as follows: They
2 shall, at all times of the day and night, within the boundaries of said cities, as well on water as
3 on land,

4 (1) Preserve the public peace, prevent crime and arrest offenders;

5 (2) Protect the rights of persons and property;

6 (3) Guard the public health;

7 (4) Preserve order at every public election, and at all public meetings and places, and
8 on all public occasions;

9 (5) Prevent and remove nuisances on all streets, highways, waters and other places;

10 (6) Provide a proper police force at every fire for the protection of firemen and
11 property;

12 (7) Protect emigrants and travelers at steamboat landings and railway stations;

13 (8) See that all laws relating to elections and to the observance of Sunday, and
14 regulating pawnbrokers, gamblers, intemperance, lotteries and lottery policies, vagrants,
15 disorderly persons, and the public health are enforced;

16 (9) They shall also enforce all laws and all ordinances passed or which may hereafter
17 be passed by the common council or municipal assembly of said cities, not inconsistent with
18 the provisions of sections ~~[84.010 to 84.340]~~ **84.012 to 84.342**, or any other law of the state,
19 which may be properly enforceable by a police force;

20 (10) In case they shall have any reason to believe that any person within said cities
21 intends to commit any breaches of the peace, or violation of the law or order beyond the city
22 limits, any person charged with the commission of crime in said cities and against whom
23 criminal process shall have issued, may be arrested upon the same in any part of this state by
24 the police force created or authorized by sections ~~[84.010 to 84.340]~~ **84.012 to 84.342**;
25 provided, however, that before the person so arrested shall be removed from the county in
26 which such arrest is made he shall be taken before some judge, to whom the papers
27 authorizing such arrest shall be submitted; and the person so arrested shall not be removed
28 from said county, but shall forthwith be discharged, unless such judge shall endorse and
29 approve said papers;

30 (11) The said police commissioners, or either of them, shall have the power to
31 administer oaths or affirmations in the premises, to any person appearing or called before
32 them;

33 (12) They shall also have the power to summon and compel the attendance of
34 witnesses before them, whenever it may be necessary for the more effectual discharge of their
35 duties.

84.100. To enable the boards to perform the duties imposed upon them, they are
2 hereby authorized and required to appoint, enroll and employ ~~[a]~~ **only one** permanent police
3 force for the cities which they shall equip and arm as they may judge necessary. ~~[Except as~~
4 ~~provided below, the number of patrolmen to be appointed shall not be more than one thousand~~
5 ~~six hundred eighty three of which number not more than two hundred fifty are to be~~
6 ~~probationary patrolmen. Any increase in the number of patrolmen authorized, in addition to~~
7 ~~that provided for above, shall be permitted upon recommendation by the board of police~~
8 ~~commissioners, with the approval of the municipal board of estimate and apportionment. The~~
9 ~~number of turnkeys to be appointed shall be sixty five, except that for each patrolman~~
10 ~~hereafter promoted, demoted, removed, resigned or otherwise separated from the force, an~~
11 ~~additional turnkey may be appointed, but under no circumstances shall more than one~~
12 ~~hundred fifty turnkeys be appointed. As each additional turnkey is appointed, the maximum~~
13 ~~number of patrolmen to be appointed shall be reduced accordingly so that when one hundred~~
14 ~~fifty turnkeys have been appointed, the number of patrolmen to be appointed shall not be~~
15 ~~more than one thousand five hundred ninety eight.] **All police officers shall be hired,**~~
16 **employed, or under contract by the permanent police force. The board may continue to**
17 **employ as many commissioned police officers, probationary police officers, and**

18 **noncommissioned civilians, which shall include city marshals and park rangers, as it**
19 **deems necessary in order to perform the duties imposed upon it. The board shall**
20 **determine the number of police officers in each rank. The board shall determine the**
21 **terms of regular service for all members of the permanent police force as provided by**
22 **law.**

84.120. 1. No person shall be appointed or employed as ~~[policeman, turnkey, or]~~
2 **police officer [of police]** who shall have been convicted of, or against whom any indictment
3 may be pending, for any offense, the punishment of which may be confinement in the
4 penitentiary; nor shall any person be so appointed who is not of good character, or who is not
5 a citizen of the United States, or who is not able to read and write the English language, or
6 who does not possess ordinary physical strength and courage. The ~~[patrolmen and turnkeys]~~
7 **police officers** hereafter appointed shall serve while they shall faithfully perform their duties
8 and possess mental and physical ability and be subject to removal only for cause ~~[after a~~
9 ~~hearing by the boards, who are hereby invested with the jurisdiction in the premises]~~
10 **pursuant to section 590.502.**

11 2. The board shall have the sole discretion whether to delegate portions of its
12 jurisdiction to hearing officers. The board shall retain final and ultimate authority over such
13 matters and over the person to whom the delegation may be made. In any hearing before the
14 board under this section, the member involved may make application to the board to waive a
15 hearing before the board and request that a hearing be held before a hearing officer.

16 3. Nothing in this section or chapter shall be construed to prohibit the board of police
17 commissioners from delegating any task related to disciplinary matters, disciplinary hearings,
18 or any other hearing or proceeding which could otherwise be heard by the board or
19 concerning any determination related to whether an officer is able to perform the necessary
20 functions of the position. Tasks related to the preceding matter may be delegated by the board
21 to a hearing officer under the provisions of subsection 4 of this section.

22 4. (1) The hearing officer to whom a delegation has been made by the board may, at
23 the sole discretion of the board, perform certain functions, including but not limited to the
24 following:

25 (a) Presiding over a disciplinary matter from its inception through to the final hearing;
26 (b) Preparing a report to the board of police commissioners; and
27 (c) Making recommendations to the board of police commissioners as to the
28 allegations and the appropriateness of the recommended discipline.

29 (2) The board shall promulgate rules, which may be changed from time to time as
30 determined by the board, and shall make such rules known to the hearing officer or others.

31 (3) The board shall at all times retain the authority to render the final decision after a
32 review of the relevant documents, evidence, transcripts, videotaped testimony, or report
33 prepared by the hearing officer.

34 5. Hearing officers shall be selected in the following manner:

35 (1) The board shall establish a panel of not less than five persons, all who are to be
36 licensed attorneys in good standing with the Missouri Bar. The composition of the panel may
37 change from time to time at the board's discretion;

38 (2) From the panel, the relevant member or officer and a police department
39 representative shall alternatively and independently strike names from the list with the last
40 remaining name being the designated hearing officer. The board shall establish a process to
41 be utilized for each hearing which will determine which party makes the first strike and the
42 process may change from time to time;

43 (3) After the hearing officer is chosen and presides over a matter, such hearing officer
44 shall become ineligible until all hearing officers listed have been utilized, at which time the
45 list shall renew, subject to officers' availability.

46 6. Nothing in this section shall be construed to authorize the board of police
47 commissioners to remove or discharge any chief, ~~[as that term is defined]~~ **except as provided**
48 in section 106.273.

84.130. The boards may reappoint all members of the police force who have
2 heretofore, or shall hereafter, resign to enter the military service of the United States during
3 any war in which the United States is engaged, without loss of rank, and with the same effect
4 as if an indefinite leave of absence had been granted such members, upon condition that an
5 application for such reappointment shall be made within ninety days after the applicant's
6 discharge from military service and that the applicant is mentally and physically qualified for
7 police duty. ~~[The boards may make such reappointments notwithstanding that it may cause
8 the number of policemen employed to temporarily exceed the number herein authorized. All
9 necessary reductions in rank shall be made to enable the boards to reappoint officers above
10 the rank of patrolmen as aforesaid to the end that the number of such officers shall not exceed
11 that provided for in section 84.150.]~~

84.150. ~~[The officers of the police force in each such city shall be as follows: one
2 chief of police with the rank of colonel; lieutenant colonels, not to exceed five in number and
3 other such ranks and number of members within such ranks as the board from time to time
4 deems necessary.]~~ The officers of the police force shall have commissions issued to them by
5 the boards of police commissioners, and those heretofore and those hereafter commissioned
6 shall serve so long as they shall faithfully perform their duties and possess the necessary
7 mental and physical ability, and be subject to removal only for cause ~~[after a hearing by the~~

8 ~~board, who are hereby invested with exclusive jurisdiction in the premises]~~ **pursuant to**
9 **section 590.520.**

84.160. 1. As of August 28, ~~[2006]~~ **2025**, the board of police commissioners shall
2 have the authority to compute and establish the annual salary of each member of the police
3 force without receiving prior authorization from the general assembly, **which shall not be**
4 **less than the annual salary paid to any member at the time of the enactment of this act.**

5 2. Each officer of police and patrolman whose regular assignment requires
6 nonuniformed attire may receive, in addition to his or her salary, an allowance not to exceed
7 three hundred sixty dollars per annum payable biweekly. Notwithstanding the provisions of
8 subsection 1 of this section to the contrary, no additional compensation or compensatory time
9 off for overtime, court time, or standby court time shall be paid or allowed to any officer of
10 the rank of ~~[sergeant]~~ **lieutenant** or above. Notwithstanding any other provision of law to the
11 contrary, nothing in this section shall prohibit the payment of additional compensation
12 pursuant to this subsection to officers of the ranks of sergeants and above, provided that
13 funding for such compensation shall not:

14 (1) Be paid from the general funds of either the city or the board of police
15 commissioners of the city; or

16 (2) Be violative of any federal law or other state law.

17 3. It is the duty of the municipal assembly or common council of the cities to make
18 the necessary appropriation for the expenses of the maintenance of the police force in the
19 manner herein and hereafter provided; provided, that in no event shall such municipal
20 assembly or common council be required to appropriate for such purposes (including, but not
21 limited to, costs of funding pensions or retirement plans) for any fiscal year a sum in excess of
22 any limitation imposed by article X, section 21, Missouri Constitution; and provided further,
23 that such municipal assembly or common council may appropriate a sum in excess of such
24 limitation for any fiscal year by an appropriations ordinance enacted in conformity with the
25 provisions of the charter of such cities.

26 4. Notwithstanding the provisions of subsection 1 of this section to the contrary, the
27 board of police commissioners shall pay additional compensation for all hours of service
28 rendered by probationary patrolmen ~~[and]~~, patrolmen, **and sergeants** in excess of the
29 established regular working period, and the rate of compensation shall be one and one-half
30 times the regular hourly rate of pay to which each member shall normally be entitled; except
31 that, the court time and court standby time shall be paid at the regular hourly rate of pay to
32 which each member shall normally be entitled. No credit shall be given or deductions made
33 from payments for overtime for the purpose of retirement benefits.

34 5. Notwithstanding the provisions of subsection 1 of this section to the contrary,
35 probationary patrolmen ~~[and]~~, patrolmen, **and sergeants** shall receive additional

36 compensation for authorized overtime, court time and court standby time whenever the total
37 accumulated time exceeds forty hours. The accumulated forty hours shall be taken as
38 compensatory time off at the officer's discretion with the approval of his supervisor.

39 6. The allowance of compensation or compensatory time off for court standby time
40 shall be computed at the rate of one-third of one hour for each hour spent on court standby
41 time.

42 7. The board of police commissioners [~~may~~] **shall** effect programs to provide
43 additional compensation to its employees for successful completion of academic work at an
44 accredited college or university, in amounts not to exceed ten percent of their yearly salaries
45 or for field training officer and lead officer responsibilities in amounts not to exceed three
46 percent of their yearly salaries for field training officer responsibilities and an additional three
47 percent of their yearly salaries for lead officer responsibilities. The board may designate up
48 to one hundred fifty employees as field training officers and up to fifty employees as lead
49 officers.

50 8. The board of police commissioners:

51 (1) Shall provide or contract for life insurance coverage and for insurance benefits
52 providing health, medical and disability coverage for officers and employees of the
53 department;

54 (2) Shall provide or contract for insurance coverage providing salary continuation
55 coverage for officers and employees of the police department;

56 (3) Shall provide health, medical, and life insurance coverage for retired officers and
57 employees of the police department. Health, medical and life insurance coverage shall be
58 made available for purchase to the spouses or dependents of deceased retired officers and
59 employees of the police department who receive pension benefits pursuant to sections 86.200
60 to 86.364 at the rate that such dependent's or spouse's coverage would cost under the
61 appropriate plan if the deceased were living;

62 (4) May pay an additional shift differential compensation to members of the police
63 force for evening and night tour of duty in an amount not to exceed ten percent of the officer's
64 base hourly rate.

65 9. Notwithstanding the provisions of subsection 1 of this section to the contrary, the
66 board of police commissioners shall pay additional compensation to members of the police
67 force up to and including the rank of police officer for any full hour worked between the
68 hours of 11:00 p.m. and 7:00 a.m., in amounts equal to [~~five~~] **ten** percent of the officer's base
69 hourly pay.

70 10. The board of police commissioners, from time to time and in its discretion, may
71 pay additional compensation to police officers, sergeants and lieutenants by paying
72 commissioned officers in the aforesaid ranks for accumulated, unused vacation time. Any

73 such payments shall be made in increments of not less than forty hours, and at rates
74 equivalent to the base straight-time rates being earned by said officers at the time of payment;
75 except that, no such officer shall be required to accept payment for accumulated unused
76 vacation time.

84.170. 1. When any vacancy shall take place in any grade of officers, it shall be
2 filled from the next lowest grade; provided, however, that probationary patrolmen shall serve
3 at least six months as such before being promoted to the rank of patrolman; patrolmen shall
4 serve at least three years as such before being promoted to the rank of sergeant; sergeants
5 shall serve at least one year as such before being promoted to the rank of lieutenant;
6 lieutenants shall serve at least one year as such before being promoted to the rank of captain;
7 and in no case shall the ~~chief or~~ assistant chief be selected from men not members of the
8 force or below the grade of captain. Patrolmen shall serve at least three years as such before
9 promotion to the rank of detective; the inspector shall be taken from men in the rank not
10 below the grade of lieutenant.

11 2. The boards of police are hereby authorized to make all such rules and regulations,
12 not inconsistent with sections ~~[84.010 to 84.340]~~ **84.012 to 84.342**, or other laws of the state,
13 as they may judge necessary, for the appointment, employment, uniforming, discipline, trial
14 and government of the police. The said boards shall also have power to require of any officer
15 or policeman bond with sureties when they may consider it demanded by the public interests.
16 All lawful rules and regulations of the board shall be obeyed by the police force on pain of
17 dismissal or such lighter punishment, either by suspension, fine, reduction or forfeiture of
18 pay, or otherwise as the boards may adjudge.

19 ~~[3. The authority possessed by the board of police includes, but is not limited to, the~~
20 ~~authority to delegate portions of its powers authorized in section 84.120, including presiding~~
21 ~~over a disciplinary hearing, to a hearing officer as determined by the board.]~~

84.180. No officer of police or policeman shall be allowed to receive any money or
2 gratuity or compensation for any service he may render without the consent of the said
3 boards; and all such moneys as any policeman or police officer may be so permitted to receive
4 shall be paid over to the boards, and together with all the proceeds of all fines, forfeitures and
5 unreclaimed property which may come to the possession of said boards, or to be recovered by
6 them under the provisions of sections ~~[84.010 to 84.340]~~ **84.012 to 84.342**, or any other law
7 or ordinance, shall be disposed of in accordance with rules adopted by the said boards, subject
8 to the provisions of the laws of this state controlling and directing the dispensation of such
9 funds.

84.190. 1. The boards of police commissioners are hereby authorized to provide
2 themselves with such office and office furniture, and such clerks and subordinates as they
3 shall need; and to have and use a common seal. They may divide such cities into not more

4 than twelve nor less than ~~nine~~ **six** police districts, and provide in each of them, if necessary,
5 a station house or houses, with all things and equipments required for the same, and all such
6 other accommodations as may be required for the use of the police.

7 2. The boards, for all the purposes of sections ~~[84.010 to 84.340]~~ **84.012 to 84.342**,
8 shall have the use of the fire alarm telegraph of such cities for police purposes, and all station
9 houses, watch boxes, firearms, equipments, accoutrements, **technology, facilities**, and other
10 accommodations and things provided by such cities, for the use and service of the police, as
11 fully and to the same extent as the same are now used by or for any present police, or as fully
12 and to the same extent as the same may be used by any police force in any of the cities to
13 which sections ~~[84.010 to 84.340]~~ **84.012 to 84.342** may hereafter apply **at the discretion of**
14 **the board**; and the mayor and common council or municipal assembly, and all persons and
15 municipal officers in charge thereof, are hereby ordered and required to allow such use
16 ~~accordingly~~ **of all facilities, technology, and equipment**. In case the mayor and common
17 council or municipal assembly of any of such cities, or its officers or agents, refuse or neglect
18 to allow such use, as and whenever the same shall be required by the boards created by
19 sections ~~[84.010 to 84.340]~~ **84.012 to 84.342**, or refuse to set aside and appropriate the
20 revenue necessary to carry out the provisions of sections ~~[84.010 to 84.340]~~ **84.012 to 84.342**,
21 or place obstructions or hindrances in the way of the proper discharge of the powers of such
22 boards, the boards may apply to the circuit courts of the judicial circuit in which such cities
23 may be located, in the name of the state, for a mandamus to compel a compliance with the
24 provisions of this section, and the application thereof shall be heard and decided by the court.
25 One week's notice of the application shall be given, and the respondent or respondents shall
26 have the right to answer within the week; and if testimony be needed on either side, the same
27 shall be taken within ten days after the same is filed, or the week shall be expired. From the
28 decision in the circuit court in the premises either party may appeal within ten days; and it
29 shall be the duty of the clerk of such courts to send up the record immediately, and the appeal
30 shall be heard immediately by the supreme court, if then in session, and if not in session, at
31 the next term. In both courts the case shall be taken up and tried in preference to all others.

84.200. It shall be the duty of the sheriff of the county or city in which any of the
2 cities to which sections ~~[84.010 to 84.340]~~ **84.012 to 84.342** may apply shall be located,
3 whenever called on for that purpose by said boards, to act under their control for the
4 preservation of the public peace and quiet; and, if ordered by them to do so, he shall summon
5 the posse comitatus for that purpose, and hold and employ such posse subject to their
6 direction; whenever the exigency or circumstances may, in their judgment, warrant it, the said
7 boards shall have the power to assume the control and command of all conservators of the
8 peace of the county or city in which any of the cities to which sections ~~[84.010 to 84.340]~~

9 **84.012 to 84.342** may apply, whether sheriff, constable, policemen or others, and they shall
10 act under the orders of the said boards and not otherwise.

84.210. 1. It shall be the duty of said boards, annually on or before the last day of
2 February of each year to prepare, in writing, on such forms as may be prescribed for budget
3 preparation purposes by such cities for departments of city government, an estimate of the
4 sum of money which will be necessary for the subsequent fiscal year, to enable them to
5 discharge the duties hereby imposed upon them, and to meet the expenses of the police
6 department. Such estimate shall include, but not be limited to, all reasonably anticipated
7 revenues of such boards from all sources including, but not limited to, grants from the federal
8 or state governments, governmental agencies or other grantors and forfeitures of property and
9 proceeds of forfeited property, a table of organization, line items for personnel, supplies,
10 maintenance, repairs, services and contractual requirements, and a statement comparing
11 receipts and expenses for the last prior full fiscal year, the current fiscal year, and the fiscal
12 year to which the estimate pertains. Said boards shall forthwith certify such estimate to the
13 board of common council or municipal assembly, as the case may be, of said cities, who are
14 hereby required to set apart and appropriate the amount so certified, payable out of the
15 revenue of said cities, after having first deducted the amount necessary to pay the interest
16 upon the indebtedness of said cities, the amount necessary for the expenses of the city
17 hospital and health department, the amount necessary for lighting the city, and any sum
18 required by law to be placed to the credit of the sinking fund of said cities. During a fiscal
19 year for which an appropriation has been so made, said boards shall not transfer funds
20 appropriated for one line item of such appropriation to any other line item without the prior
21 approval of the municipal board of estimate and apportionment.

22 2. The said boards of police commissioners shall pass upon all claims presented
23 against them for the expenses incurred in the discharge of their duties as herein provided, and
24 shall certify, by their president and secretary, all such claims as are entitled to payment and all
25 salary rolls for salaries as provided in sections [~~84.010 to 84.340~~] **84.012 to 84.342**, and such
26 claims and salary rolls, when so certified, shall be duly audited and paid by the proper
27 disbursing officer or officers of said cities within five days after being audited, out of any
28 moneys in the city treasury not appropriated to the specific purposes above enumerated;
29 provided, however, that the amount of said claims and salary rolls so certified shall not
30 exceed, in any one year, the amount so, as aforesaid, estimated for that year to the common
31 council or municipal assembly of said cities aforesaid. The common council or municipal
32 assembly of said cities shall have no power or authority to levy or collect any taxes or
33 appropriate any money for the payment of any police force, other than that organized and
34 employed under sections [~~84.010 to 84.340~~] **84.012 to 84.342**. No officer or servant of the
35 mayor or the common council or municipal assembly of said cities shall disburse any money

36 for the payment of any police force other than that organized and employed under sections
37 ~~[84.010 to 84.340]~~ **84.012 to 84.342**, and the power of said mayor and common council or
38 municipal assembly to appropriate and disburse money for the payment of the police force
39 organized and employed under sections ~~[84.010 to 84.340]~~ **84.012 to 84.342** shall be
40 exercised as in this section directed and not otherwise.

**84.225. Any officer or servant of the mayor or common council or municipal
2 assembly of the cities, or other persons whatsoever, who forcibly resists or obstructs the
3 execution or enforcement of any of the provisions of sections 84.012 to 84.342 or relating
4 to the same, or who disburses or fails to disburse any money in violation thereof, or who
5 hinders or obstructs the organization or maintenance of the board of police or the police
6 force therein provided to be organized and maintained, or who maintains or controls
7 any police force other than the one therein provided for, or who delays or hinders the
8 due enforcement of sections 84.012 to 84.342 by failing or neglecting to perform the
9 duties by such sections imposed upon him or her, shall be subject to a penalty of one
10 thousand dollars for each offense, recoverable by the boards by action at law in the
11 name of the state, and shall forever thereafter be disqualified from holding or exercising
12 any office or employment whatsoever under the mayor or common council or municipal
13 assembly of such cities, or under sections 84.012 to 84.342; provided that, nothing in this
14 section shall be construed to interfere with the punishment, under any existing or any
15 future laws of this state, of any criminal offense that is committed by the parties in or
16 about the resistance, obstruction, hindrance, conspiracy, combination, or disbursement
17 aforesaid.**

84.250. The board shall cause a full journal of their proceedings to be kept, and shall
2 also cause all their receipts and disbursements of money to be faithfully entered in books to be
3 procured and kept for that purpose, and said journal, and all said books, and all other
4 documents in possession of said board~~], shall always be open to the inspection of the general
5 assembly of the state of Missouri or any committee appointed by it for that purpose]~~ **shall be
6 reported to the common council or municipal assembly of the said city at each annual
7 session thereof.** It shall be the duty of the board to report to the common council or
8 municipal assembly of the said city at each annual session thereof, the number and expenses
9 of the police force employed by it under sections ~~[84.010 to 84.340]~~ **84.012 to 84.342**, and all
10 such other matters as may be of public interest, in connection with the duties assigned it by
11 sections ~~[84.010 to 84.340]~~ **84.012 to 84.342.**

**84.325. 1. On August 28, 2025, the board of police commissioners shall assume
2 control of any municipal police force established within any city not within a county,
3 according to the procedures and requirements of this section and any rules promulgated
4 under subsection 6 of this section. The purpose of these procedures and requirements is**

5 to provide for an orderly and appropriate transition in the governance of the police
6 force and provide for an equitable employment transition for commissioned and civilian
7 personnel.

8 2. Upon the assumption of control by the board of police commissioners under
9 subsection 1 of this section, any municipal police department within any city not within
10 a county shall convey, assign, and otherwise transfer to the board title and ownership of
11 all indebtedness and assets, including, but not limited to, all funds and real and personal
12 property held in the name of or controlled by the municipal police department. The
13 cities shall execute all documents reasonably required to transfer, convey, or assign
14 ownership and obligations as provided herein. Such city shall thereafter cease the
15 operation of any police department or police force.

16 3. Upon the assumption of control by the board of police commissioners under
17 subsection 1 of this section, the board shall accept responsibility, ownership, and liability
18 as successor-in-interest for contractual obligations and other lawful obligations of the
19 municipal police department.

20 4. The board of police commissioners shall initially employ, without a reduction
21 in rank, salary, or benefits, all commissioned and civilian personnel of the municipal
22 police department who were employed by the municipal police department immediately
23 prior to the date the board assumed control. The board shall recognize all accrued
24 years of service that such commissioned and civilian personnel had with the municipal
25 police department, as well as all accrued years of service that such commissioned and
26 civilian personnel had previously with the board of police commissioners. Such
27 personnel shall be entitled to no less than the holidays, vacation, sick leave, sick bonus
28 time, and annual step-increases they were entitled to as employees of the municipal
29 police department as of August 28, 2025.

30 5. The commissioned and civilian personnel who retire from service with the
31 municipal police department before the board of police commissioners assumed control
32 of the department under subsection 1 of this section shall continue to be entitled to the
33 same pension benefits provided as employees of the municipal police department and
34 the same benefits set forth in subsection 4 of this section. Any police pension system
35 created under chapter 86 for the benefit of a police force established under sections
36 84.012 to 84.342 shall continue to be governed by chapter 86 and shall apply to any
37 comprehensive policing plan and any police force established under sections 84.012 to
38 84.342. Other than any provision that makes chapter 86 applicable to a municipal
39 police force established under sections 84.343 to 84.346, nothing in sections 84.012 to
40 84.342 shall be construed as limiting or changing the rights or benefits provided under
41 chapter 86.

42 **6. The board of police commissioners may promulgate all necessary rules and**
43 **regulations for the implementation and administration of this section. Any rule or**
44 **portion of a rule, as that term is defined in section 536.010, that is created under the**
45 **authority delegated in this section shall become effective only if it complies with and is**
46 **subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This**
47 **section and chapter 536 are nonseverable and if any of the powers vested with the**
48 **general assembly pursuant to chapter 536 to review, to delay the effective date, or to**
49 **disapprove and annul a rule are subsequently held unconstitutional, then the grant of**
50 **rulemaking authority and any rule proposed or adopted after August 28, 2025, shall be**
51 **invalid and void.**

 84.330. The members of the police force of the cities covered by sections [~~84.010 to~~
2 ~~84.340~~] **84.012 to 84.342**, organized and appointed by the police commissioners of said cities,
3 are hereby declared to be officers of the said cities, under the charter and ordinances thereof,
4 and also to be officers of the state of Missouri, and shall be so deemed and taken in all courts
5 having jurisdiction of offenses against the laws of this state or the ordinances of said cities.

 84.340. Except as provided under section 590.750, the police [~~commissioner~~] **chief** of
2 the said cities shall have power to regulate and license all private watchmen, private
3 detectives and private policemen, serving or acting as such in said cities, and no person shall
4 act as such private watchman, private detective or private policeman in said cities without
5 first having obtained the written license of the president or acting president of said police
6 commissioners of the said cities, under pain of being guilty of a misdemeanor.

 84.341. No elected or appointed official of the state or any political subdivision
2 thereof shall act or refrain from acting in any manner to impede, obstruct, hinder, or otherwise
3 interfere with any member of a municipal police force [~~established under sections 84.343 to~~
4 ~~84.346~~] **84.012 to 84.342** in the performance of his or her job duties, or with any aspect of any investigation
5 arising from the performance of such job duties. This section shall not be construed to
6 prevent such officials from acting within the normal course and scope of their employment or
7 from acting to implement sections [~~84.343 to 84.346~~] **84.012 to 84.342**. Any person who
8 violates this section shall be liable for a penalty of two thousand five hundred dollars for each
9 offense and shall forever be disqualified from holding any office or employment whatsoever
10 with the governmental entity the person served at the time of the violation. The penalty shall
11 not be paid by the funds of any committee as the term committee is defined in section
12 130.011. This section shall not be construed to interfere with the punishment, under any laws
13 of this state, of a criminal offense committed by such officials, nor shall this section apply to
14 duly appointed members of the municipal police force, or their appointing authorities, whose
15 conduct is otherwise provided for by law.

84.342. 1. It shall be an unlawful employment practice for an official, employee, or
2 agent of a municipal police force established under sections ~~[84.343 to 84.346]~~ **84.012 to**
3 **84.342** to discharge, demote, reduce the pay of, or otherwise retaliate against an employee of
4 the municipal police force for reporting to any superior, government agency, or the press the
5 conduct of another employee that the reporting employee believes, in good faith, is illegal.

6 2. Any employee of the municipal police force may bring a cause of action for
7 general or special damages based on a violation of this section **and such action is in addition**
8 **to the protections and remedies provided to public employees pursuant to section**
9 **105.055.**

105.726. 1. Nothing in sections 105.711 to 105.726 shall be construed to broaden the
2 liability of the state of Missouri beyond the provisions of sections 537.600 to 537.610, nor to
3 abolish or waive any defense at law which might otherwise be available to any agency,
4 officer, or employee of the state of Missouri. Sections 105.711 to 105.726 do not waive the
5 sovereign immunity of the state of Missouri.

6 2. The creation of the state legal expense fund and the payment therefrom of such
7 amounts as may be necessary for the benefit of any person covered thereby are deemed
8 necessary and proper public purposes for which funds of this state may be expended.

9 3. Moneys in the state legal expense fund shall not be available for the payment of
10 any claim or any amount required by any final judgment rendered by a court of competent
11 jurisdiction against a board of police commissioners established under chapter 84, including
12 the commissioners, any police officer, notwithstanding sections 84.330 and 84.710, or other
13 provisions of law, other employees, agents, representative, or any other individual or entity
14 acting or purporting to act on its or their behalf. Such was the intent of the general assembly
15 in the original enactment of sections 105.711 to 105.726, and it is made express by this
16 section in light of the decision in Wayman Smith, III, et al. v. State of Missouri, 152 S.W.3d
17 275. Except that the commissioner of administration shall reimburse from the legal expense
18 fund the board of police commissioners established under ~~[section 84.350, and any successor-~~
19 ~~in-interest established pursuant to section 84.344,]~~ **chapter 84** for liability claims otherwise
20 eligible for payment under section 105.711 paid by such ~~[board]~~ **boards on an equal share**
21 **basis per claim** up to a maximum of one million dollars per fiscal year.

22 4. ~~[Subject to the provisions of subsection 2 of section 84.345,]~~ If the representation
23 of the attorney general is requested by a board of police commissioners ~~[or its successor in-~~
24 ~~interest established pursuant to section 84.344,]~~ the attorney general shall represent,
25 investigate, defend, negotiate, or compromise all claims under sections 105.711 to 105.726
26 for the board of police commissioners, its successor-in-interest pursuant to section 84.344,
27 any police officer, other employees, agents, representatives, or any other individual or entity
28 acting or purporting to act on their behalf. The attorney general may establish procedures by

29 rules promulgated under chapter 536 under which claims must be referred for the attorney
30 general's representation. The attorney general and the officials of the city which the police
31 board represents ~~[or represented]~~ shall meet and negotiate reasonable expenses or charges that
32 will fairly compensate the attorney general and the office of administration for the cost of the
33 representation of the claims under this section.

34 5. Claims tendered to the attorney general promptly after the claim was asserted as
35 required by section 105.716 and prior to August 28, 2005, may be investigated, defended,
36 negotiated, or compromised by the attorney general and full payments may be made from the
37 state legal expense fund on behalf of the entities and individuals described in this section as a
38 result of the holding in Wayman Smith, III, et al. v. State of Missouri, 152 S.W.3d 275.

2 ~~[84.070. A majority of the boards of police shall constitute a quorum;
3 and the failure or refusal of the mayor or acting mayor of said cities to qualify
4 or act hereunder shall in no wise impair the right or duty of said
5 commissioners to organize and proceed as herein provided in sections
6 84.010 to 84.340. In case a vacancy shall occur on said board, the same shall
7 be filled by the governor of the state of Missouri forthwith, after having been
8 notified that such vacancy exists.]~~

2 ~~[84.080. Any one of said commissioners, who, during his term of
3 office, shall accept any other place of public trust or emolument, or who,
4 during the same period, shall knowingly receive any nomination for an office
5 elective by the people, without publicly declining same within twenty days
6 succeeding such nomination, or shall become a candidate for the nomination
7 for any office at the hands of any political party, shall be deemed to thereby
8 forfeit or vacate his office. Any of said commissioners may be removed by the
9 governor of the state of Missouri upon his being fully satisfied that the
10 commissioner is guilty of any official misconduct.]~~

2 ~~[84.095. All causes of action against the members of the St. Louis
3 board of police commissioners in their official capacity shall be commenced in
4 the circuit court of the City of St. Louis.]~~

2 ~~[84.110. Eight hours shall constitute the time of regular service for the
3 members of the police force for such cities during any one day of twenty-four
4 hours; but nothing herein shall be so construed as to prevent the boards of
5 police commissioners in such cities from suspending the operation of such rule
6 fixing the time of regular daily service of such police officers in case of
7 existing emergencies, and said boards shall have full power to determine the
8 existence and duration of such emergencies, and their finding in respect
9 thereto shall not be subject to review by any other power.]~~

2 ~~[84.175. 1. Upon recommendation of the chief of police, the board
3 may authorize and provide for the organization of a police reserve force
4 composed of members who receive a service retirement under the provisions~~

4 of sections 86.200 to 86.366 and who qualify under the provisions of section
 5 84.120. Such reserve force shall be under the command of the chief of police
 6 and shall be provided training, equipment, uniforms, and arms as the chief
 7 shall direct with the approval of the board. Members of the reserve force shall
 8 possess all of the powers of regular police officers and shall be subject to all
 9 laws and regulations applicable to police officers; provided, however, that the
 10 city council or other governing body of any such city may in its discretion fix a
 11 total in number which the reserve force may not exceed.

12 2. In event of riot or other emergencies as declared and defined by the
 13 mayor, in concurrence with the board, the board, upon recommendation of the
 14 chief, may appoint special officers or patrolmen for temporary service in
 15 addition to the police reserve force herein provided for, but the length of time
 16 for which such officers or patrolmen shall be employed shall be limited to the
 17 time during which such emergency shall exist.]

2 [84.240. The board of police commissioners shall establish the
 3 Bertillon system of identification of criminals and others by means of
 4 anthropometric indications, and they are further required to employ such
 5 additional assistance as may be necessary to properly conduct and manage this
 department.]

2 [84.265. The board may appoint such number of women members of
 3 the police force as they deem necessary, and such women members shall have
 and exercise all the powers of the other members of the police force.]

2 [84.343. 1. Subject to the provisions of sections 84.344 to 84.346, any
 3 city not within a county may establish a municipal police force for the
 purposes of:

- 4 (1) Preserving the public peace, welfare, and order;
 5 (2) Preventing crime and arresting suspected offenders;
 6 (3) Enforcing the laws of the state and ordinances of the city;
 7 (4) Exercising all powers available to a police force under generally
 8 applicable state law; and
 9 (5) Regulating and licensing all private watchmen, private detectives,
 10 and private policemen serving or acting as such in said city.

11 2. Any person who acts as a private watchman, private detective, or
 12 private policeman in said cities without having obtained a written license from
 13 said cities is guilty of a class A misdemeanor.]

2 [84.344. 1. Notwithstanding any provisions of this chapter to the
 3 contrary, any city not within a county may establish a municipal police force
 4 on or after July 1, 2013, according to the procedures and requirements of this
 5 section. The purpose of these procedures and requirements is to provide for an
 6 orderly and appropriate transition in the governance of the police force and
 7 provide for an equitable employment transition for commissioned and civilian
 personnel.

8 2. Upon the establishment of a municipal police force by a city under
 9 sections 84.343 to 84.346, the board of police commissioners shall convey,

10 assign, and otherwise transfer to the city title and ownership of all
11 indebtedness and assets, including, but not limited to, all funds and real and
12 personal property held in the name of or controlled by the board of police
13 commissioners created under sections 84.010 to 84.340. The board of police
14 commissioners shall execute all documents reasonably required to accomplish
15 such transfer of ownership and obligations.

16 3. ~~If the city establishes a municipal police force and completes the~~
17 ~~transfer described in subsection 2 of this section, the city shall provide the~~
18 ~~necessary funds for the maintenance of the municipal police force.~~

19 4. ~~Before a city not within a county may establish a municipal police~~
20 ~~force under this section, the city shall adopt an ordinance accepting~~
21 ~~responsibility, ownership, and liability as successor in interest for~~
22 ~~contractual obligations, indebtedness, and other lawful obligations of the~~
23 ~~board of police commissioners subject to the provisions of subsection 2 of~~
24 ~~section 84.345.~~

25 5. ~~A city not within a county that establishes a municipal police force~~
26 ~~shall initially employ, without a reduction in rank, salary, or benefits, all~~
27 ~~commissioned and civilian personnel of the board of police commissioners~~
28 ~~created under sections 84.010 to 84.340 that were employed by the board~~
29 ~~immediately prior to the date the municipal police force was established. Such~~
30 ~~commissioned personnel who previously were employed by the board may~~
31 ~~only be involuntarily terminated by the city not within a county for cause. The~~
32 ~~city shall also recognize all accrued years of service that such commissioned~~
33 ~~and civilian personnel had with the board of police commissioners. Such~~
34 ~~personnel shall be entitled to the same holidays, vacation, and sick leave they~~
35 ~~were entitled to as employees of the board of police commissioners.~~

36 6. ~~Commissioned and civilian personnel of a municipal police force~~
37 ~~established under this section shall not be subject to a residency requirement of~~
38 ~~retaining a primary residence in a city not within a county but may be required~~
39 ~~to maintain a primary residence located within a one-hour response time.~~

40 7. ~~The commissioned and civilian personnel who retire from service~~
41 ~~with the board of police commissioners before the establishment of a~~
42 ~~municipal police force under subsection 1 of this section shall continue to be~~
43 ~~entitled to the same pension benefits provided under chapter 86 and the same~~
44 ~~benefits set forth in subsection 5 of this section.~~

45 8. ~~If the city not within a county elects to establish a municipal police~~
46 ~~force under this section, the city shall establish a separate division for the~~
47 ~~operation of its municipal police force. The civil service commission of the~~
48 ~~city may adopt rules and regulations appropriate for the unique operation of a~~
49 ~~police department. Such rules and regulations shall reserve exclusive~~
50 ~~authority over the disciplinary process and procedures affecting commissioned~~
51 ~~officers to the civil service commission; however, until such time as the city~~
52 ~~adopts such rules and regulations, the commissioned personnel shall continue~~
53 ~~to be governed by the board of police commissioner's rules and regulations in~~
54 ~~effect immediately prior to the establishment of the municipal police force,~~
55 ~~with the police chief acting in place of the board of police commissioners for~~
56 ~~purposes of applying the rules and regulations. Unless otherwise provided for,~~
57 ~~existing civil service commission rules and regulations governing the appeal of~~

58 ~~disciplinary decisions to the civil service commission shall apply to all~~
59 ~~commissioned and civilian personnel. The civil service commission's rules~~
60 ~~and regulations shall provide that records prepared for disciplinary purposes~~
61 ~~shall be confidential, closed records available solely to the civil service~~
62 ~~commission and those who possess authority to conduct investigations~~
63 ~~regarding disciplinary matters pursuant to the civil service commission's rules~~
64 ~~and regulations. A hearing officer shall be appointed by the civil service~~
65 ~~commission to hear any such appeals that involve discipline resulting in a~~
66 ~~suspension of greater than fifteen days, demotion, or termination, but the civil~~
67 ~~service commission shall make the final findings of fact, conclusions of law,~~
68 ~~and decision which shall be subject to any right of appeal under chapter 536.~~

69 ~~9. A city not within a county that establishes and maintains a~~
70 ~~municipal police force under this section:~~

71 ~~(1) Shall provide or contract for life insurance coverage and for~~
72 ~~insurance benefits providing health, medical, and disability coverage for~~
73 ~~commissioned and civilian personnel of the municipal police force to the same~~
74 ~~extent as was provided by the board of police commissioners under section~~
75 ~~84.160;~~

76 ~~(2) Shall provide or contract for medical and life insurance coverage~~
77 ~~for any commissioned or civilian personnel who retired from service with the~~
78 ~~board of police commissioners or who were employed by the board of police~~
79 ~~commissioners and retire from the municipal police force of a city not within a~~
80 ~~county to the same extent such medical and life insurance coverage was~~
81 ~~provided by the board of police commissioners under section 84.160;~~

82 ~~(3) Shall make available medical and life insurance coverage for~~
83 ~~purchase to the spouses or dependents of commissioned and civilian personnel~~
84 ~~who retire from service with the board of police commissioners or the~~
85 ~~municipal police force and deceased commissioned and civilian personnel who~~
86 ~~receive pension benefits under sections 86.200 to 86.366 at the rate that such~~
87 ~~dependent's or spouse's coverage would cost under the appropriate plan if the~~
88 ~~deceased were living; and~~

89 ~~(4) May pay an additional shift differential compensation to~~
90 ~~commissioned and civilian personnel for evening and night tours of duty in~~
91 ~~an amount not to exceed ten percent of the officer's base hourly rate.~~

92 ~~10. A city not within a county that establishes a municipal police force~~
93 ~~under sections 84.343 to 84.346 shall establish a transition committee of five~~
94 ~~members for the purpose of: coordinating and implementing the transition of~~
95 ~~authority, operations, assets, and obligations from the board of police~~
96 ~~commissioners to the city; winding down the affairs of the board; making~~
97 ~~nonbinding recommendations for the transition of the police force from the~~
98 ~~board to the city; and other related duties, if any, established by executive~~
99 ~~order of the city's mayor. Once the ordinance referenced in this section is~~
100 ~~enacted, the city shall provide written notice to the board of police~~
101 ~~commissioners and the governor of the state of Missouri. Within thirty~~
102 ~~days of such notice, the mayor shall appoint three members to the committee,~~
103 ~~two of whom shall be members of a statewide law enforcement association~~
104 ~~that represents at least five thousand law enforcement officers. The remaining~~
105 ~~members of the committee shall include the police chief of the municipal~~

106 ~~police force and a person who currently or previously served as a~~
107 ~~commissioner on the board of police commissioners, who shall be appointed~~
108 ~~to the committee by the mayor of such city.]~~

2 ~~[84.345. 1. Except as required for the board of police commissioners~~
3 ~~to conclude its affairs and pursue legal claims and defenses, upon the~~
4 ~~establishment of a municipal police force, the terms of office of the~~
5 ~~commissioners of the board of police created under sections 84.020 and~~
6 ~~84.030 shall expire, and the provisions of sections 84.010 to 84.340 shall not~~
7 ~~apply to any city not within a county or its municipal police force as of such~~
8 ~~date. The board shall continue to operate, if necessary, to wind down the~~
9 ~~board's affairs until the transfer of ownership and obligations under subsection~~
10 ~~2 of section 84.344 has been completed. During such time, the board of police~~
11 ~~commissioners shall designate and authorize its secretary to act on behalf of~~
12 ~~the board for purposes of performing the board's duties and any other actions~~
13 ~~incident to the transfer and winding down of the board's affairs.~~

14 ~~2. For any claim, lawsuit, or other action arising out of actions~~
15 ~~occurring before the date of completion of the transfer provided under~~
16 ~~subsection 2 of section 84.344, the state shall continue to provide legal~~
17 ~~representation as set forth in section 105.726, and the state legal expense fund~~
18 ~~shall continue to provide reimbursement for such claims under section~~
19 ~~105.726. This subsection applies to all claims, lawsuits, and other actions~~
20 ~~brought against any commissioner, police officer, employee, agent,~~
21 ~~representative, or any individual or entity acting or purporting to act on its~~
22 ~~or their behalf.~~

23 ~~3. Notwithstanding any other provision of law, rule, or regulation to~~
24 ~~the contrary, any city not within a county that establishes a municipal police~~
25 ~~force under sections 84.343 to 84.346 shall not be restricted or limited in any~~
26 ~~way in the selection of a police chief or chief of the division created under~~
27 ~~subsection 8 of section 84.344.~~

28 ~~4. It shall be the duty of the sheriff for any city not within a county,~~
29 ~~whenever called upon by the police chief of the municipal police force, to act~~
30 ~~under the police chief's control for the preservation of the public peace and~~
31 ~~quiet; and, whenever the exigency or circumstances may, in the police chief's~~
32 ~~judgment, warrant it, said police chief shall have the power to assume the~~
33 ~~control and command of all local and municipal conservators of the peace of~~
34 ~~the city, whether sheriff, constable, policemen or others, and they shall act~~
~~under the orders of the said police chief and not otherwise.]~~

2 ~~[84.346. Any police pension system created under chapter 86 for the~~
3 ~~benefit of a police force established under sections 84.010 to 84.340 shall~~
4 ~~continue to be governed by chapter 86, and shall apply to any police force~~
5 ~~established under section 84.343 to 84.346. Other than any provision that~~
6 ~~makes chapter 86 applicable to a municipal police force established under~~
7 ~~section 84.343 to 84.346, nothing in sections 84.343 to 84.346 shall be~~
8 ~~construed as limiting or changing the rights or benefits provided under chapter~~
~~86.]~~

2 ~~[84.347. Notwithstanding the provisions of section 1.140 to the~~
3 ~~contrary, the provisions of sections 84.343 to 84.346 shall be nonseverable. If~~
4 ~~any provision of sections 84.343 to 84.346 is for any reason held to be invalid,~~
 ~~such decision shall invalidate all of the remaining provisions of this act.]~~

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