

FIRST REGULAR SESSION

HOUSE BILL NO. 1147

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE PHELPS.

2300H.02I

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal section 43.505, RSMo, and to enact in lieu thereof one new section relating to collecting the immigration status of criminal offenders.

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

Section A. Section 43.505, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 43.505, to read as follows:

43.505. 1. The department of public safety is hereby designated as the central repository for the collection, maintenance, analysis and reporting of crime incident activity generated by law enforcement agencies in this state. The department shall develop and operate a uniform crime reporting system that is compatible with the national uniform crime reporting system operated by the Federal Bureau of Investigation.

2. The department of public safety shall:

(1) Develop, operate and maintain an information system for the collection, storage, maintenance, analysis and retrieval of crime incident and arrest reports from Missouri law enforcement agencies;

(2) Compile the statistical data and forward such data as required to the Federal Bureau of Investigation or the appropriate Department of Justice agency in accordance with the standards and procedures of the national system;

(3) Provide the forms, formats, procedures, standards and related training or training assistance to all law enforcement agencies in the state as necessary for such agencies to report incident and arrest activity for timely inclusion into the statewide system;

(4) Annually publish a report on the nature and extent of crime and submit such report to the governor and the general assembly. Such report and other statistical reports shall

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 be made available to state and local law enforcement agencies and the general public through
19 an electronic or manual medium;

20 (5) Maintain the privacy and security of information in accordance with applicable
21 state and federal laws, regulations and orders; and

22 (6) Establish such rules and regulations as are necessary for implementing the
23 provisions of this section. Any rule or portion of a rule, as that term is defined in section
24 536.010, that is created under the authority delegated in this section shall become effective
25 only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable,
26 section 536.028. This section and chapter 536 are nonseverable and if any of the powers
27 vested with the general assembly pursuant to chapter 536 to review, to delay the effective date
28 or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of
29 rulemaking authority and any rule proposed or adopted after August 28, 2000, shall be invalid
30 and void.

31 3. Every law enforcement agency in the state shall:

32 (1) Submit crime incident reports to the department of public safety on forms or in the
33 format prescribed by the department; and

34 (2) Submit any other crime incident information which may be required by the
35 department of public safety, **including any information pertaining to the immigration**
36 **status of any criminal offender, indicating whether the offender is a citizen of the United**
37 **States, is a lawfully present immigrant, or does not possess the information to show that**
38 **he or she is a citizen of the United States or a lawfully present immigrant.**

39 4. Any law enforcement agency that violates this section after December 31, 2021,
40 may be ineligible to receive state or federal funds which would otherwise be paid to such
41 agency for law enforcement, safety or criminal justice purposes.

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