

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

**Offered By**

---

1 AMEND House Committee Substitute for House Bill No. 3113, Page 1, Section 8.990, Line 15,  
2 by inserting after said section and line the following:

3  
4 "9.390. The month of June is hereby designated as "Immigrant Heritage Month" in  
5 Missouri. The citizens of this state are encouraged to participate in appropriate events and  
6 activities to celebrate the accomplishments and contributions of immigrants and their children to  
7 make Missouri a healthier, safer, more diverse, and more prosperous place.

8 9.391. October second each year is hereby designated as "Wrongful Conviction Day" in  
9 Missouri. The citizens of this state are encouraged to participate in appropriate events and  
10 activities to raise awareness about individuals who have been convicted of crimes they did not  
11 commit and to focus on the causes of and remedies for wrongful convictions, an issue that affects  
12 and devastates individuals, families, and societies worldwide.

13 9.392. December first each year is hereby designated as "Freeman Bosley, Sr. Day" in  
14 Missouri. The citizens of this state are encouraged to participate in appropriate events and  
15 activities to celebrate the legendary St. Louis City politician who retired in 2017 after thirty  
16 years of service to the city and was an advocate for young people participating in government  
17 and engaging in public service."; and

18  
19 Further amend said bill, Page 3, Section 161.506, Line 47, by inserting after said section and line  
20 the following:

21  
22 "563.046. 1. A law enforcement officer need not retreat or desist from efforts to effect  
23 the arrest, or from efforts to prevent the escape from custody, of a person he or she reasonably  
24 believes to have committed an offense because of resistance or threatened resistance of the  
25 arrestee. In addition to the use of physical force authorized under other sections of this chapter, a  
26 law enforcement officer is, subject to the provisions of subsections 2 ~~[and]~~, 3, and 4 of this  
27 section, justified in the use of such physical force as he or she reasonably believes is  
28 immediately necessary to effect the arrest or to prevent the escape from custody.

29 2. The use of any physical force in making an arrest is not justified under this section  
30 unless the arrest is lawful or the law enforcement officer reasonably believes the arrest is lawful,

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

1 and the amount of physical force used was objectively reasonable in light of the totality of the  
 2 particular facts and circumstances confronting the officer on the scene, without regard to the  
 3 officer's underlying intent or motivation.

4 3. In effecting an arrest or in preventing an escape from custody, a law enforcement  
 5 officer is justified in using deadly force only:

6 (1) When deadly force is authorized under other sections of this chapter; or

7 (2) When the officer reasonably believes that such use of deadly force is immediately  
 8 necessary to effect the arrest or prevent an escape from custody and also reasonably believes that  
 9 the person to be arrested:

10 (a) Has committed or attempted to commit a felony offense involving the infliction or  
 11 threatened infliction of serious physical injury; or

12 (b) Is attempting to escape by use of a deadly weapon or dangerous instrument; or

13 (c) May otherwise endanger life or inflict serious physical injury to the officer or others  
 14 unless arrested without delay.

15 4. The use of a respiratory choke-hold for any purpose other than is authorized under  
 16 section 590.805 shall be cause for the law enforcement officer's immediate dismissal and  
 17 revocation of his or her license under chapter 590.

18 5. The defendant shall have the burden of injecting the issue of justification under this  
 19 section."; and

20  
 21 Further amend said bill and page, Section 590.198, Line 3, by inserting after said section and line  
 22 the following:

23  
 24 "590.1065. 1. A peace officer shall intervene to prevent or stop another peace officer  
 25 from using physical force that exceeds the degree of force permitted under this chapter in  
 26 pursuance of the other peace officer's law enforcement duties in carrying out an arrest of any  
 27 person, placing any person under detention, taking any person into custody, booking any person,  
 28 or in the process of crowd or riot control without regard to chain of command.

29 2. A peace officer who intervenes as required under subsection 1 of this section shall  
 30 report the intervention to his or her immediate supervisor. At a minimum, the report required  
 31 under this subsection shall include:

32 (1) The date, time, and place of the occurrence;

33 (2) The identity, if known, and description of the participants; and

34 (3) A description of the intervention actions taken.

35  
 36 Such report shall be made in writing within ten days of the occurrence of the use of such force  
 37 and shall be appended to all other reports of the incident.

1           3. A member of a law enforcement agency shall not discipline or retaliate in any way  
2 against a peace officer for intervening as required under subsection 1 of this section, reporting  
3 unconstitutional conduct, or failing to follow what the peace officer reasonably believes is an  
4 unconstitutional directive.

5           4. When an internal investigation finds that a peace officer failed to intervene or prevent  
6 the use of unlawful physical force under this section, such finding shall be presented to the  
7 prosecuting attorney for a determination as to whether charges should be filed. However,  
8 nothing in this subsection prohibits the prosecuting attorney from charging a peace officer with  
9 failure to intervene before the conclusion of any internal investigation.

10           5. In addition to any criminal liability and penalty, when an internal investigation finds  
11 that a peace officer failed to intervene or prevent the use of unlawful physical force under this  
12 section in an incident resulting in serious bodily injury or death to any person, the peace officer's  
13 employer shall subject the peace officer to discipline, up to and including termination, to the  
14 extent permitted under applicable constitutional and statutory law, and the director shall revoke  
15 the peace officer's license under chapter 590 upon receipt of notice of the peace officer's  
16 discipline. Such revocation may be overturned only if the peace officer is exonerated by a court.

17           6. In a case in which the prosecution charges a peace officer with offenses related to and  
18 based on the use of excessive force but does not file charges against any other peace officer or  
19 officers who were at the scene during the use of such force, the prosecuting attorney shall  
20 prepare a written report explaining his or her basis for the decision not to charge any other peace  
21 officer with criminal conduct and shall disclose the report to the public; except that, if disclosure  
22 of the report would substantially interfere with or jeopardize an ongoing criminal investigation,  
23 the prosecuting attorney may delay public disclosure for up to forty-five days. The prosecuting  
24 attorney shall post the written report on the prosecuting attorney office's website or, if the office  
25 does not have a website, make it publicly available upon request.

26           7. The offense of failing to intervene to prevent the use of unlawful force under this  
27 section is considered an act of complicity and the penalty for such act shall be equal to the  
28 penalty imposed against the peace officer who committed the original wrongdoing for which the  
29 peace officer failed to intervene. Nothing in this subsection shall prohibit or discourage  
30 prosecution of any other criminal offense related to failure to intervene, including a higher  
31 charge, if supported by the evidence.

32           590.1125. 1. The provisions of this section shall be known as the "Missouri Automatic  
33 License Plate Reader Regulation Act".

34           2. For purposes of this section, the following terms mean:

35           (1) "Automatic license plate recognition system" or "ALPR system", any device or  
36 software that automatically captures, stores, or analyzes images of motor vehicle license plates  
37 and associated data;

1           (2) "Automatic license plate system recognition data" or "ALPR system data", any  
 2 image, record, or metadata captured or generated by an ALPR system;

3           (3) "Law enforcement agency", any state, county, or municipal law enforcement entity,  
 4 including the Missouri state highway patrol;

5           (4) "Personally identifiable information", includes any data that can be used to identify a  
 6 specific person, vehicle owner, or vehicle operator.

7           3. A law enforcement agency shall use an automatic license plate recognition system  
 8 only for the following purposes:

9           (1) During a criminal investigation when there is reasonable suspicion that a crime has  
 10 been, is being, or is about to be committed;

11           (2) For active investigations involving missing or endangered persons including, but not  
 12 limited to, amber alerts or silver alerts; and

13           (3) To receive automated alerts regarding missing or endangered persons, stolen  
 14 vehicles, or stolen license plates.

15           4. ALPR systems shall not be used for general surveillance, immigration enforcement,  
 16 civil code enforcement, or monitoring persons engaged in lawful activity.

17           5. (1) No ALPR system shall be installed on a state highway right-of-way without  
 18 approval of the proposed location of the device from the department of transportation based on  
 19 road safety.

20           (2) No ALPR system shall be installed on a right-of-way controlled by a city, town, or  
 21 village without approval of the proposed location of the device from the road department of such  
 22 city, town, or village based on road safety.

23           6. ALPR system data collected under this section shall be destroyed no later than thirty  
 24 days after collection unless:

25           (1) The data is relevant to an ongoing criminal investigation; or

26           (2) The data is associated with an active missing or endangered person alert.

27  
 28 Any such data retained beyond thirty days shall be reviewed every ninety days and destroyed  
 29 when retention is no longer necessary.

30           7. Beginning January 1, 2027, all law enforcement agencies using ALPR systems shall:

31           (1) Record whether any traffic stop or detention was initiated based on ALPR system  
 32 data;

33           (2) Document the reason the ALPR system alert was generated; and

34           (3) Submit an annual report to the Missouri state highway patrol, with personally  
 35 identifiable information redacted, containing information on the:

36           (a) Number of scans conducted;

37           (b) Number of alerts generated;

1 (c) Types of cases involved; and

2 (d) Number of arrests or recoveries resulting from ALPR system use.

3  
4 The Missouri state highway patrol shall compile and publish a statewide annual summary based  
5 on data contained in the reports submitted.

6 8. The information technology services division of the office of administration shall:

7 (1) Establish standards for cybersecurity, data protection, and accuracy; and

8 (2) Maintain and publish a publicly accessible list of approved ALPR system vendors  
9 and ALPR systems.

10 9. No agency shall procure or operate an ALPR system that is not on the list established  
11 under subdivision (2) of subsection 8 of this section.

12 10. The joint committee on the justice system shall review the effectiveness of ALPR  
13 system use and assess the impact of such use on civil liberties and shall report such findings to  
14 the general assembly by November 1, 2027, and shall report findings every two years thereafter.

15 11. Any person who knowingly:

16 (1) Accesses ALPR system data without authorization;

17 (2) Uses ALPR system data for personal, political, or commercial purposes; or

18 (3) Discloses ALPR system data in violation of this section shall be guilty of a class A  
19 misdemeanor for a first offense and a class E felony for a second or subsequent offense.

20 590.1250. The provisions of sections 590.1250 to 590.1256 shall be known and may be  
21 cited as the "Law Enforcement Accountability Act".

22 590.1252. 1. All peace officers in this state shall wear a video camera affixed to the  
23 peace officer's uniform while on duty. The video camera shall record each interaction between a  
24 peace officer and a member of the public. The recording shall include both audio and video.

25 2. Law enforcement agencies shall preserve any recordings made by a video camera  
26 under this section for a minimum of sixty days and make such recordings available to the public  
27 through a statewide database within fourteen days of any incident.

28 3. The provisions of this section shall not apply to detectives or other peace officers  
29 while they are working in an undercover capacity or to any peace officer in any situation where  
30 the wearing of such a video camera would endanger the safety of the officer or the public.

31 4. Law enforcement agencies shall develop policies and procedures necessary to execute  
32 the provisions of this section prior to January 1, 2027.

33 5. The director of the department of public safety may promulgate all necessary rules  
34 and regulations for the administration of this section. Any rule or portion of a rule, as that term  
35 is defined in section 536.010, that is created under the authority delegated in this section shall  
36 become effective only if it complies with and is subject to all of the provisions of chapter 536  
37 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of

1 the powers vested with the general assembly pursuant to chapter 536 to review, to delay the  
2 effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the  
3 grant of rulemaking authority and any rule proposed or adopted after August 28, 2026, shall be  
4 invalid and void.

5 590.1256. Notwithstanding any other provision of law, if any peace officer is convicted  
6 of or pleads guilty or nolo contendere to a crime involving the unlawful use or threatened use of  
7 physical force, or is found civilly liable for the use of unlawful physical force, the director shall  
8 revoke the peace officer's license under this chapter. The director shall not reinstate the peace  
9 officer's license or grant a new license to the peace officer unless the peace officer is exonerated  
10 by a court."; and

11  
12 Further amend said bill by amending the title, enacting clause, and intersectional references  
13 accordingly.