

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill Nos. 3068 & 3049, Page 7, Section 43.530,
2 Line 23, by inserting after all of said section and line the following:

3
4 "575.356. 1. A person commits the offense of impeding, threatening, or harassing a first
5 responder if such person after receiving an oral warning not to approach from an individual that
6 the person knows or reasonably should know is a first responder and the individual is engaged in
7 the lawful performance of his or her duties as a first responder knowingly and willfully violates
8 such warning and approaches or remains within twenty-five feet of the first responder with the
9 intent to:

- 10 (1) Impede or interfere with the first responder's ability to perform such duties;
11 (2) Threaten the first responder with physical harm; or
12 (3) Harass the first responder.

13 2. The offense of impeding, threatening, or harassing a first responder is a class D
14 misdemeanor.

15 3. As used in this section, the following terms mean:

16 (1) "Emergency medical care provider", an ambulance driver, emergency medical
17 technician, paramedic, registered nurse, physician, or medical director. The term "emergency
18 medical care provider" also includes a physician, employee, agent, or volunteer of a hospital as
19 defined in section 190.100 who is employed, under contract, or otherwise authorized by a
20 hospital to perform duties directly associated with the care and treatment rendered by the
21 hospital's emergency department or the security thereof;

22 (2) "First responder", a law enforcement officer as defined in section 556.061, a parole
23 or probation officer, a firefighter as defined in section 87.120, or an emergency medical care
24 provider;

25 (3) "Harass", to willfully engage in a course of conduct directed at a first responder that
26 intentionally causes substantial emotional distress in that first responder and serves no legitimate
27 purpose."; and

28
29 Further amend said bill, Page 39, Section 589.417, Line 27, by inserting after all of said section
30 and line the following:

Action Taken _____ Date _____

1
2 "590.100. 1. The director shall have cause to deny any application for a peace officer
3 license or entrance into a basic training course when the director has knowledge that would
4 constitute cause to discipline the applicant if the applicant were licensed.

5 2. The director shall have cause to deny any application for a peace officer license or
6 entrance into a basic training course when the applicant had a peace officer license or
7 certification that was revoked or surrendered.

8 3. The director shall have cause to deny any application for a peace officer license or
9 entrance into a basic training course when the applicant is not a citizen of the United States.

10 4. When the director has knowledge of cause to deny an application pursuant to this
11 section, the director may grant the application subject to probation or may deny the application.
12 The director shall notify the applicant in writing of the reasons for such action and of the right to
13 appeal pursuant to this section.

14 [~~3-~~] 5. Any applicant aggrieved by a decision of the director pursuant to this section may
15 appeal within thirty days to the administrative hearing commission, which shall conduct a
16 hearing to determine whether the director has cause for denial, and which shall issue findings of
17 fact and conclusions of law on the matter. The administrative hearing commission shall not
18 consider the relative severity of the cause for denial or any rehabilitation of the applicant or
19 otherwise impinge upon the discretion of the director to determine whether to grant the
20 application subject to probation or deny the application when cause exists pursuant to this
21 section. Failure to submit a written request for a hearing to the administrative hearing
22 commission within thirty days after a decision of the director pursuant to this section shall
23 constitute a waiver of the right to appeal such decision.

24 [4-] 6. Upon a finding by the administrative hearing commission that cause for denial
25 exists, the director shall not be bound by any prior action on the matter and shall, within thirty
26 days, hold a hearing to determine whether to grant the application subject to probation or deny
27 the application. If the licensee fails to appear at the director's hearing, this shall constitute a
28 waiver of the right to such hearing.

29 [~~5-~~] 7. The provisions of chapter 621 and any amendments thereto, except those
30 provisions or amendments that are in conflict with this chapter, shall apply to and govern the
31 proceedings of the administrative hearing commission pursuant to this section and the rights and
32 duties of the parties involved."; and

33
34 Further amend said bill by amending the title, enacting clause, and intersectional references
35 accordingly.