

SECOND REGULAR SESSION

HOUSE BILL NO. 1866

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE ROBERTS.

4736H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal section 590.100, RSMo, and to enact in lieu thereof one new section relating to peace officer license requirements.

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

Section A. Section 590.100, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 590.100, to read as follows:

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

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

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

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

~~[3.]~~ 5. Any applicant aggrieved by a decision of the director pursuant to this section may appeal within thirty days to the administrative hearing commission, which shall conduct a hearing to determine whether the director has cause for denial, and which shall issue findings of fact and conclusions of law on the matter. The administrative hearing commission

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 shall not consider the relative severity of the cause for denial or any rehabilitation of the
19 applicant or otherwise impinge upon the discretion of the director to determine whether to
20 grant the application subject to probation or deny the application when cause exists pursuant
21 to this 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
27 deny the application. If the licensee fails to appear at the director's hearing, this shall
28 constitute a 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
32 and duties of the parties involved.

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