

SECOND REGULAR SESSION

# HOUSE BILL NO. 2648

## 103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE WILSON.

4955H.01I

JOSEPH ENGLER, Chief Clerk

### AN ACT

To amend chapter 650, RSMo, by adding thereto one new section relating to organized retail theft.

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

Section A. Chapter 650, RSMo, is amended by adding thereto one new section, to be known as section 650.2100, to read as follows:

**650.2100. 1. For purposes of this section, the following terms mean:**

(1) "Center", the organized retail theft coordination center established under this section;

(2) "Department", the department of public safety;

(3) "Organized retail theft", as such term is defined under subsection 12 of section 570.030.

2. There is hereby established in the department of public safety the "Organized Retail Theft Coordination Center". The duties of the center shall include the following:

(1) Coordinating state law enforcement duties relating to organized retail theft, including investigations of national and transnational criminal organizations that are engaged in organized retail theft in Missouri;

(2) Establishing relationships with state and local law enforcement agencies and organizations, including organized retail crime associations and cargo theft associations, and sharing information regarding organized retail theft threats with such agencies and organizations;

(3) Assisting state and local law enforcement agencies with state and local investigations of organized retail theft groups;

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           (4) Establishing relationships with retail, transportation, and other companies  
19 determined by the director of the department of public safety to have significant  
20 interests relating to organized retail theft threats, sharing information with those  
21 companies regarding such threats, collaborating on investigations and loss prevention  
22 activities as appropriate, and providing a mechanism for the receipt of investigative  
23 information on such threats;

24           (5) Establishing a secure system for sharing information regarding organized  
25 retail theft threats by leveraging existing information systems at the Missouri state  
26 highway patrol;

27           (6) Tracking trends with respect to organized retail theft and releasing annual  
28 public reports on such trends; and

29           (7) Supporting the provision of training and technical assistance.

30           3. The director of the department of public safety shall appoint a director to  
31 serve as the head of the center, who shall be an experienced law enforcement officer.  
32 The director of the center shall be assisted by a deputy director, who shall be appointed  
33 by the director of the center, to serve for a term of two years. Subject to appropriations,  
34 the director of the center may hire additional staff as necessary to carry out the duties of  
35 the center.

36           4. The center shall coordinate its activities, as appropriate, with state agencies  
37 and centers responsible for countering transnational organized crime threats. The  
38 director of the center, or his or her designee, may enter into agreements with federal,  
39 state, and local agencies, and with private sector entities, to facilitate carrying out the  
40 duties described under subsection 2 of this section.

41           5. Subject to approval by the director of the center, information that would  
42 otherwise be subject to the limitation of disclosure under chapter 610 may be shared if  
43 such disclosure is operationally necessary. The director of the center shall not delegate  
44 his or her authority under this subsection.

45           6. (1) The director of the department of public safety, in consultation with the  
46 attorney general, shall conduct an evaluation of existing state programs that provide  
47 grants, training, and technical support to federal, state, and local law enforcement  
48 agencies to assist such entities in countering organized retail theft. After completion of  
49 such evaluation, and no later than March 1, 2027, the director of the department of  
50 public safety and the attorney general shall submit a joint report to the general  
51 assembly that:

52           (a) Describes the result of such evaluation; and

53           (b) Includes recommendations on ways to expand grants, training, and technical  
54 assistance aimed at combatting organized retail theft in the state.

55           (2) Within forty-five days of the submission of the report required under  
56 subdivision (1) of this subsection, the director of the department of public safety and the  
57 attorney general shall jointly issue formal guidance to relevant agencies and offices  
58 within the department of public safety for modifying or expanding, as appropriate, the  
59 prioritization of training and technical assistance designed to counter organized retail  
60 theft.

61           7. On or before August 28, 2027, the director of the department of public safety  
62 shall submit a report regarding the establishment of the center to the chair of the house  
63 judiciary committee and to the chair of the senate judiciary committee. The report shall  
64 include a description of:

65           (1) The organizational structure of the center;

66           (2) The agencies and partner organizations that are represented within the  
67 center;

68           (3) Any challenges required to be addressed while establishing the center;

69           (4) Any lessons learned from establishing the center, including successful  
70 prosecutions resulting from the activities of the center;

71           (5) Recommendations for ways to strengthen the enforcement of laws involving  
72 organized retail theft;

73           (6) The intersections and commonalities between organized retail crime  
74 organizations and other organized theft groups, including supply chain diversion and  
75 theft; and

76           (7) The impact of organized theft groups on the scarcity of vital products,  
77 including medicines, personal protective equipment, and infant formula.

78           8. On or before August 28, 2028, and each year thereafter, the director of the  
79 department of public safety shall submit an annual report to the general assembly that  
80 describes the activities of the center during the previous year.

81           9. The director of the department of public safety may promulgate all necessary  
82 rules and regulations for the administration of this section. Any rule or portion of a  
83 rule, as that term is defined in section 536.010, that is created under the authority  
84 delegated in this section shall become effective only if it complies with and is subject to  
85 all of the provisions of chapter 536 and, if applicable, section 536.028. This section and  
86 chapter 536 are nonseverable and if any of the powers vested with the general assembly  
87 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul  
88 a rule are subsequently held unconstitutional, then the grant of rulemaking authority  
89 and any rule proposed or adopted after August 28, 2026, shall be invalid and void.

90           10. Under section 23.253 of the Missouri sunset act:

91           **(1) The provisions of the new program authorized under this section shall sunset**  
92 **six years after the effective date of this section unless reauthorized by an act of the**  
93 **general assembly; and**

94           **(2) This section shall terminate on September first of the calendar year**  
95 **immediately following the calendar year in which the program authorized under this**  
96 **section is sunset.**

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