

SECOND REGULAR SESSION

# HOUSE BILL NO. 2569

## 103RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE SMITH (46).

5758H.011

JOSEPH ENGLER, Chief Clerk

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### AN ACT

To repeal section 590.653, RSMo, and to enact in lieu thereof one new section relating to civilian review boards.

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

Section A. Section 590.653, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 590.653, to read as follows:

590.653. 1. Each city, county and city not within a county may establish a civilian review board, division of civilian oversight, or any other entity which provides civilian review or oversight of police agencies, or may use an existing civilian review board or division of civilian oversight or other named entity which has been appointed by the local governing body, with the authority to investigate allegations of misconduct by local law enforcement officers towards members of the public. The members shall not receive compensation but shall receive reimbursement from the local governing body for all reasonable and necessary expenses.

2. The board, division, or any other such entity, shall have the power solely limited to receiving, investigating, making findings, and recommending disciplinary action upon complaints by members of the public against members of the police department that allege misconduct involving excessive use of force, abuse of authority, discourtesy, or use of offensive language, including, but not limited to, slurs relating to race, ethnicity, religion, gender, sexual orientation, and disability. The findings and recommendations of the board, division, or other entity and the basis therefor, shall be submitted to the chief law enforcement official. No finding or recommendation shall be based solely upon an unsworn complaint or statement, nor shall prior unsubstantiated, unfounded or withdrawn complaints be the basis

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 for any such findings or recommendations. Only the powers specifically granted herein are  
19 authorized and any and all authority granted to future or existing boards, divisions, or entities  
20 outside the scope of the powers listed herein are expressly preempted and void as a matter of  
21 law.

22 **3. The provisions of subsection 2 of this section shall not apply to any city with**  
23 **more than one hundred twenty-five thousand but fewer than one hundred sixty**  
24 **thousand inhabitants and any such city may establish such board, division, or any other**  
25 **such entity and may grant to such board, division, or any other entity the power to**  
26 **receive, investigate, make findings, and recommend disciplinary action upon complaints**  
27 **by members of the public against members of the police department.**

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