

SECOND REGULAR SESSION

HOUSE BILL NO. 3131

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SMITH (68).

6506H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal sections 590.040 and 590.050, RSMo, and to enact in lieu thereof three new sections relating to law enforcement response to mental-health related emergencies.

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

Section A. Sections 590.040 and 590.050, RSMo, are repealed and three new sections
2 enacted in lieu thereof, to be known as sections 590.040, 590.050, and 590.275, to read as
3 follows:

590.040. 1. The POST commission shall set the minimum number of hours of basic
2 training for licensure as a peace officer no lower than six hundred, with the following
3 exceptions:

4 (1) Up to one thousand hours may be mandated for any class of license required for
5 commission by a state law enforcement agency;

6 (2) As few as one hundred twenty hours may be mandated for any class of license
7 restricted to commission as a reserve peace officer with police powers limited to the
8 commissioning political subdivision;

9 (3) Persons validly licensed on August 28, 2001, may retain licensure without
10 additional basic training;

11 (4) Persons licensed and commissioned within a county of the third classification
12 before July 1, 2002, may retain licensure with one hundred twenty hours of basic training if
13 the commissioning political subdivision has adopted an order or ordinance to that effect;

14 (5) Persons serving as a reserve officer on August 27, 2001, within a county of the
15 first classification or a county with a charter form of government and with more than one
16 million inhabitants on August 27, 2001, having previously completed a minimum of one

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.

17 hundred sixty hours of training, shall be granted a license necessary to function as a reserve
18 peace officer only within such county. For the purposes of this subdivision, the term "reserve
19 officer" shall mean any person who serves in a less than full-time law enforcement capacity,
20 with or without pay and who, without certification, has no power of arrest and who, without
21 certification, must be under the direct and immediate accompaniment of a certified peace
22 officer of the same agency at all times while on duty; and

23 (6) The POST commission shall provide for the recognition of basic training received
24 at law enforcement training centers of other states, the military, the federal government and
25 territories of the United States regardless of the number of hours included in such training and
26 shall have authority to require supplemental training as a condition of eligibility for licensure.

27 2. The director shall have the authority to limit any exception provided in subsection
28 1 of this section to persons remaining in the same commission or transferring to a commission
29 in a similar jurisdiction.

30 3. The basic training of every peace officer, except agents of the conservation
31 commission, shall include at least thirty hours of training in the investigation and
32 management of cases involving domestic and family violence. Such training shall include
33 instruction, specific to domestic and family violence cases, regarding: report writing;
34 physical abuse, sexual abuse, child fatalities and child neglect; interviewing children and
35 alleged perpetrators; the nature, extent and causes of domestic and family violence; the safety
36 of victims, other family and household members and investigating officers; legal rights and
37 remedies available to victims, including rights to compensation and the enforcement of civil
38 and criminal remedies; services available to victims and their children; the effects of cultural,
39 racial and gender bias in law enforcement; and state statutes. Said curriculum shall be
40 developed and presented in consultation with the department of health and senior services, the
41 children's division, public and private providers of programs for victims of domestic and
42 family violence, persons who have demonstrated expertise in training and education
43 concerning domestic and family violence, and the Missouri coalition against domestic
44 violence.

45 4. The basic training of every peace officer first licensed on or after August 28, 2027,
46 shall include at least six hours of training concerning the prohibition against racial profiling
47 and such training shall promote understanding and respect for racial and cultural differences
48 and the use of effective, noncombative methods for carrying out law enforcement duties in a
49 racially and culturally diverse environment. Such training shall include two hours of racial
50 profiling training, two hours of implicit bias training, and two hours of de-escalation training.

51 **5. The basic training of every peace officer first licensed on or after August 28,**
52 **2028, shall include at least six hours of training concerning behavior-health crisis**
53 **response.**

590.050. 1. The POST commission shall establish requirements for the continuing education of all peace officers.

2. Peace officers who make traffic stops shall be required to receive three hours of training within the law enforcement continuing education three-year reporting period concerning the prohibition against racial profiling and such training shall promote understanding and respect for racial and cultural differences and the use of effective, noncombative methods for carrying out law enforcement duties in a racially and culturally diverse environment.

3. Peace officers who provide emergency response shall be required to receive three hours of training within the law enforcement continuing education three-year reporting period concerning behavior-health crisis response.

~~[2-]~~ 4. The director shall license continuing education providers and may probate, suspend and revoke such licenses upon written notice stating the reasons for such action. Any person aggrieved by a decision of the director pursuant to this subsection may appeal as provided in chapter 536.

~~[3-]~~ 5. The costs of continuing law enforcement education shall be reimbursed in part by moneys from the peace officer standards and training commission fund created in section 590.178, subject to availability of funds, except that no such funds shall be used for the training of any person not actively commissioned or employed by a county or municipal law enforcement agency.

~~[4-]~~ 6. The director may engage in any activity intended to further the professionalism of peace officers through training and education, including the provision of specialized training through the department of public safety.

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

(1) **"Behavioral health professional", a licensed clinician including, but not limited to, psychiatrists, psychologists, social workers, counselors, and nurses who diagnose and treat mental health and substance use disorders;**

(2) **"Co-response", a multidisciplinary partnership between peace officers and behavioral health professionals that responds to emergency situations involving behavioral health crises and people experiencing complex medical needs. Participants in co-response partnerships respond to in-progress 911 calls, 988 calls, and requests for service from dispatch and other first responders, and include peace officers and behavioral health professionals;**

(3) **"Law enforcement agency", any public agency that employs law enforcement personnel;**

(4) **"Peace officer", the same meaning as defined in section 590.010.**

14 **2. Except as provided under subsection 3 of this section, a co-response team**
15 **consisting of a behavioral health professional and a peace officer shall respond in all**
16 **emergency response calls that are classified by emergency dispatch as "mental-health**
17 **related".**

18 **3. If emergency dispatch intelligence or on-scene assessment indicates that there**
19 **is an immediate, significant risk of violence, law enforcement may initially stage and**
20 **secure the scene without a behavioral health professional. Once the scene is determined**
21 **to be secure, the co-response team shall be redispached if the incident remains mental-**
22 **health-related. In lower acuity calls where no threat is indicated, a mobile crisis team**
23 **composed of behavioral health professionals without law enforcement presence may be**
24 **dispatched as the primary responder.**

25 **4. To ensure implementation fidelity, the Missouri 911 service board, in**
26 **consultation with the department of mental health and local public dispatcher agencies,**
27 **shall develop uniform dispatch triage protocols to identify mental-health-related calls**
28 **and allocate co-responder, mobile crisis, or peace officer-only response appropriately.**
29 **All dispatchers shall receive at least eight hours of training in crisis identification and**
30 **safe triage.**

31 **5. Peace officers providing emergency response shall complete at least forty**
32 **hours of standardized behavioral-health crisis training within twelve months of**
33 **assignment to patrol or emergency response duties and refresher training on an annual**
34 **basis. Such curriculum shall include instruction on:**

- 35 **(1) Recognizing behavioral health conditions and signs of decompensation;**
36 **(2) Suicide risk indicators and safe referral;**
37 **(3) Verbal de-escalation and noncoercive crisis communication;**
38 **(4) Trauma-informed approaches and cultural competency;**
39 **(5) Legal framework for involuntary transport and patient rights; and**
40 **(6) Scenario-based skill practice and joint training with behavioral health**
41 **professionals.**

42 **6. (1) There is hereby created in the state treasury the "Behavioral Health Co-**
43 **Responder Grant Fund", which shall consist of moneys appropriated by the general**
44 **assembly and any gifts, contributions, grants, or bequests received from federal, private,**
45 **or other sources. The state treasurer shall be custodian of the fund. In accordance with**
46 **sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund**
47 **shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used**
48 **solely to support the following:**

- 49 **(a) Hiring and certifying behavioral health professionals for co-response;**
50 **(b) Training and joint simulation costs;**

- 51 (c) Data collection systems for program evaluation;
52 (d) Startup stipends for rural and underserved area;
53 (e) Startup grants for jurisdictions unable to staff full teams immediately; and
54 (f) Development of regional co-response hubs.

55 (2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys
56 remaining in the fund at the end of the biennium shall not revert to the credit of the
57 general revenue fund.

58 (3) The state treasurer shall invest moneys in the fund in the same manner as
59 other funds are invested. Any interest and moneys earned on such investments shall be
60 credited to the fund.

61 7. Law enforcement agencies shall collect standardized data for all mental-
62 health-related dispatches, which shall include the following:

- 63 (1) Presence or absence of a behavioral health professional on scene; and
64 (2) Incident outcome, which shall include the following classifications:
65 (a) Diversion to services;
66 (b) Emergency department transport, including voluntary or involuntary;
67 (c) Arrest;
68 (d) Use of force;
69 (e) Injuries; and
70 (f) Demographic variables.

71 8. No later than January 1, 2028, and each year thereafter, the department of
72 public safety shall make a statewide report to the general assembly summarizing key
73 indicators, outcomes, costs, and recommendations.

74 9. No later than January 1, 2030, the general assembly shall contract an
75 independent evaluator to assess outcomes including, but not limited to, detentions, use of
76 force, costs, and linkage to services.

77 10. The department of public safety, in consultation with the department of
78 mental health, may promulgate all necessary rules and regulations for the
79 administration of this section. Any rule or portion of a rule, as that term is defined
80 in section 536.010, that is created under the authority delegated in this section shall
81 become effective only if it complies with and is subject to all of the provisions of chapter
82 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable
83 and if any of the powers vested with the general assembly pursuant to chapter 536 to
84 review, to delay the effective date, or to disapprove and annul a rule are subsequently

85 **held unconstitutional, then the grant of rulemaking authority and any rule proposed or**
86 **adopted after August 28, 2026, shall be invalid and void.**

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