

CCS SS SB 1421 -- PUBLIC SAFETY

INVESTIGATORS APPOINTED BY ATTORNEY GENERAL (Section 27.020)

Currently, the Attorney General is authorized to appoint investigators necessary to properly perform the duties of the office.

This bill specifies that these investigators can be commissioned and noncommissioned. Each commissioned investigator, upon appointment, must take an oath of office to support the Constitution and laws of the United States and this State and will receive a certificate of appointment. A copy of the certificate of appointment must be filed with the Secretary of State.

The certificate will be issued by the Attorney General, and it will grant the commissioned investigator the power to arrest individuals to maintain order and preserve the peace in any matter in which authority is granted to the Attorney General by law. Commissioned investigators can assist law enforcement agencies when requested. The certificate of appointment for an investigator can be withdrawn at any time by the Attorney General, and commissioned investigators must comply with the same peace officer standards as other law enforcement in the State.

CENTRAL REPOSITORY CRIMINAL RECORDS (Sections 43.500 and 43.530)

This bill modifies the current definition of "administration of criminal justice" by stating that the administration of criminal justice will include the discretion to disclose closed mobile video recordings, but that discretion will belong solely to the agency creating the video and will not waive closure rights or requirements for subsequent requests.

Currently, when the superintendent of the central repository receives a request for a criminal record, the fees for such a request must not exceed \$15. This bill increases the amount to \$20 per request.

The bill requires the superintendent, upon establishment of a fingerprinting system within the central repository, to collect the current vendor fee for the device usage by requestors. The fee may thereafter be increased by the superintendent by no more than 50 cents per year and will be deposited into the criminal record system fund.

PROSECUTING ATTORNEY SALARY (Section 56.265)

Currently, a part- or full-time county prosecuting attorney's compensation is computed using a schedule which takes into consideration assessed valuation.

This bill repeals existing schedule. New salaries for part- or full-time prosecuting attorneys will be based on a percentage basis equal to what circuit or associate circuit judges receive, as described in the bill. However, no prosecuting attorney who has held office prior to January 1, 2027, will have their compensation lowered.

The bill creates the "Missouri State Prosecutorial Services Grant Fund". Subject to appropriation, the moneys will be allocated to third and fourth class counties on the basis of need in order to be in compliance with the prosecuting attorney compensation provisions.

Any county with a vacancy in the office of prosecuting attorney for more than 60 days can consolidate with one contiguous county, as described in the bill.

SCHOOL BUS SAFETY (Sections 160.3300, 302.302 and 304.070)

The bill authorizes school districts to install and operate school bus safety cameras with the approval of the school district's board of directors. Any image or video recorded by the camera that is not used to enforce violations for passing a stopped school bus must be permanently deleted no later than 180 days after the date of capture. No image or video recorded by such cameras will be used as part of an automated camera system designed to detect traffic violations and issue citations; however, prosecutors can introduce images and video captured by a school bus safety camera as evidence in court.

Each instance of failing to stop for a school bus that is loading or unloading students will also result in five points being assessed to the driver's driving record.

Currently, a person is guilty of a class A misdemeanor if they pass a stopped school bus in the process of loading or unloading students; the person is guilty of a class E felony if the offense results in the injury of any child; and a class D felony if the

offense results in the death of any child. In addition, the court is authorized to order the suspension of a person's driver's license for 90 days after a first offense and 120 days after a second or subsequent offense. These suspensions are in addition to other suspensions for other violations of law.

This bill differentiates between "physical injury" and "serious physical injury", as defined in the bill. An offense resulting in the physical injury of any child is a class E felony. An offense resulting in the serious physical injury or death of any child is a class D felony.

This bill adds fines for each offense and changes the provisions regarding suspended driver's licenses as follows:

- (1) For a first offense, a person is subject to a fine of at least \$500, but no more than \$1,000, and the court can suspend their license at its discretion;
- (2) For a second offense within five years, a person is subject to a fine of at least \$1,000, but no more than \$2,000, and their license will be suspended for 90 days; and
- (3) For a third or subsequent offense within five years, a person is subject to a fine of at least \$1,500, but no more than \$3,000, and their license will be suspended for 180 days.

No court can suspend any portion of these fines, and no offense can be disposed of through the State fine collection center or payment of a fine without an appearance in open court. The defendant must appear in court in person or by attorney for disposition.

LIMITATIONS ON SELLING OR PURCHASING CERTAIN DRUGS (Sections 195.417 and 579.060)

Current law prohibits the sale, purchase, or dispensation of ephedrine, phenylpropanolamine, or pseudoephedrine to the same individual in a 12-month period in an amount greater than 43.2 grams. This bill changes that yearly limit to 61.2 grams.

The bill requires, beginning on October 1, 2026, any manufacturer of compounds, mixtures, or preparations specified in the bill to pay monthly fees to the administrator of the real-time electronic pseudoephedrine tracking system. The fee levels are to be set by the administrator. No manufacturer will be assessed fees based

upon transactions attributable to the compounds, mixtures, or preparations of any other manufacturer.

This bill provides that a manufacturer commits the offense of unlawful sale, distribution, or purchase of over-the-counter methamphetamine precursor drugs if the manufacturer knowingly fails to pay the fees required by the provisions of this bill.

BACKGROUND CHECKS FOR OVERNIGHT AND RESIDENTIAL CAMPING STAFF (Section 210.1700)

The bill defines "overnight camp" and "residential camp".

The bill requires each staff member or volunteer of an overnight or residential camp who is 18 years of age or older to receive a criminal background check.

MASON'S LAW (Section 301.287)

This bill establishes "Mason's Law".

Beginning January 1, 2027, the bill allows a resident of this State who has a health condition or disability that limits or impairs their ability to effectively communicate with law enforcement to apply to the Department of Revenue for a designation that will be associated with the person's driver's license and motor vehicle license plate and made available to law enforcement under the Missouri Uniform Law Enforcement System (MULES).

The application must be made on a form prescribed by the Department and must be signed by a physician, certifying that the applicant or their child, parent, or spouse has such a condition or disability and will have the condition or disability for at least five years.

The bill requires the Department to prepare an entry in their records that must be accessible by law enforcement through MULES indicating the applicant or the applicant's child, parent, or spouse has a physical or mental health condition that can impair the ability to effectively communicate with law enforcement. The entry as it relates to the applicant's driver's license will remain active until the expiration of the driver's license, and the entry as it relates to the applicant's motor vehicle license plate will remain active for five years unless the applicant

requests its removal from the Department's records. The entry in MULES can be reactivated upon submission of a renewal form signed by a physician meeting the same requirements as the original application.

The Department of Public Safety must issue guidance and education materials to all law enforcement agencies in the State to promote awareness of the designation established in the bill.

FIRE AND SAFETY STANDARDS (Section 320.405)

This bill requires the Division of Fire Safety within the Department of Public Safety to, by rule, no later than July 1, 2027, adopt Missouri fire and life safety standards establishing certain minimum requirements for fire safety. Certain aspects can be incorporated by reference, and some Missouri-specific modifications can be adopted by the Division. The Division must review the fire and life safety standards at least every five years and can update the standards by rule if necessary.

Starting January 1, 2028, the fire and life safety standards will apply to state-inspected facilities under the conditions specified in the bill, and compliance will be verified by the Division by inspection. State-inspected facilities existing prior to August 28, 2026, will not be required to comply with the standards, except as required in the bill. Cities, counties, and fire protection districts are not prohibited from adopting more stringent standards.

PROFESSIONAL SURETY BAIL BOND AGENTS (Sections 324.1100 to 324.2187, and 374.051)

Currently, bail bondsman are regulated by the Department of Commerce and Insurance (DCI). This bill places bail bondsman under the regulatory authority of the Board of Private Investigators and Private Fire Investigator Examiners within the Division of Professional Registration.

The Board's name will be changed to the "Board of Private Investigators, Private Fire Investigators, and Professional Surety Bail Bond Agents". The bill adds three members to the Board who have been actively engaged in the general bail bond business or surety recovery for the previous five years.

This bill repeals the maximum amount the Board can charge for fees.

BENTLEY AND MASON'S LAW (Section 454.1050)

This bill establishes "Bentley and Mason's Law".

Under this bill, if a person is convicted of the offense of driving while intoxicated and such offense caused the death of a parent or guardian, and the surviving parent or guardian files a petition to receive child maintenance from the convicted person, such person may be required to pay, pursuant to a court order, child maintenance to the child of the deceased parent or guardian in an amount and duration as specified in the bill.

If the person is ordered to pay child maintenance and is unable to fulfill maintenance obligations because such person is imprisoned or otherwise confined, the person will have up to one year after release from incarceration to begin payment, including any arrearage. If the surviving parent or guardian brings a civil action and obtains a judgment against the convicted person prior to any child maintenance order under this Section, no maintenance will be ordered.

If the surviving parent or guardian brings a civil action after maintenance is ordered, the maintenance order must offset the judgment. The maintenance order can be modified only upon a showing of changed circumstances so substantial and continuing as to make the terms unreasonable.

MASKED INTIMIDATION (Sections 557.035 and 565.097)

Any person who commits the offense of masked intimidation when the State believes the offense to be knowingly motivated because of a victim's race, color, religion, national origin, sex, sexual orientation, or disability can be charged with a hate crime and a class E felony.

This bill creates the offense of masked intimidation, which a person commits if the person, while hiding or concealing his or her face with a mask or hood or other article or device, intentionally harasses, intimidates, or threatens another person with the intent to place the other person in reasonable fear for his or her physical safety. The offense of masked intimidation is a class E felony for a first offense, a class D felony for a

second, and a class C felony for a third or subsequent offense. The bill provides exceptions to the offense.

CRITICAL INFRASTRUCTURE FACILITIES (Sections 569.086, 569.117 and 569.119)

This bill modifies the definition of "critical infrastructure facility" to include wireline telecommunication networks, infrastructure, or facilities in addition to wireless telecommunication networks, infrastructure, or facilities.

This bill repeals the current language related to the offense of damage of a critical infrastructure facility. This bill modifies the offense by stating that a person commits the offense of damage of a critical infrastructure facility if he or she recklessly damages, destroys or tampers with a critical infrastructure facility or removes any component of the facility, excluding equipment. Classifications of the offense are specified in the bill and depend on the monetary value of the damages.

Any person who violates these provisions will be required to make restitution and perform community service as specified in the bill.

A person commits the offense of unauthorized possession of certain copper, brass, aluminum, fiber, or telecommunications materials if the person knowingly possesses such metals, fiber, or materials and is not the person authorized, as specified in the bill, to possess them. The offense of unauthorized possession of certain copper, brass, aluminum, fiber, or telecommunications materials is a class E felony, except it is a class D felony if certain circumstances are proven at trial.

GIFT CARD FRAUD (Sections 570.010 and 570.137)

This bill defines terms related to gift card fraud and creates the offense of gift card fraud, which a person commits if he or she alters or tampers with a gift card or its packaging; devises a scheme to obtain a gift card or gift card redemption information from a gift card holder, issuer, or seller by means of deceit; or uses a gift card or gift card redemption information that has been obtained in violation of this Section for the purpose of obtaining money, goods, services, or anything else of value. The offense is a class C felony if the value of

the gift card, gift card redemption information, or money, goods, services or other thing of value is \$25,000 or more. The offense is a class D felony if the value is at least \$750 but less than \$25,000. If the value is less than \$750, the offense is a class A misdemeanor. The bill defines "value" for the purpose of determining the value of a gift card under this provision.

UNLAWFUL USE OF WEAPONS (Section 571.030)

Currently, certain municipal, county, and circuit lawyers and judges are exempt from prohibitions related to the carrying and use of firearms.

This bill adds to this list the Missouri Attorney General and any assistant Attorney General.

UNMANNED AIRCRAFT (Sections 577.800, 589.900 and 589.902)

This bill modifies provisions relating to the unlawful use of unmanned aircraft in certain areas. Under current law, it is a criminal offense to operate an unmanned aircraft over an open-air facility. This bill modifies this offense by also making it unlawful to operate an unmanned aircraft within the boundary of any critical infrastructure facility, as defined in the bill, or within a vertical distance of 400 feet from the ground and within the boundary of such facility. The definition of "open-air facility", as used in this bill, is modified by decreasing the requisite capacity from 5,000 or more people to 500 or more people.

Under current law, any delivery of a gun, knife, weapon, or other article by an unmanned aircraft over an open-air facility will be punished as a class B felony. This bill adds delivery of any explosive device or material and adds critical infrastructure as a location where such deliveries are prohibited. The bill provides certain exceptions to these provisions as described in the bill.

The bill creates definitions for "authorized individuals", "mitigate", "unmanned aircraft", and "unmanned aircraft system".

The bill authorizes law enforcement officers to take necessary mitigation measures, as described in the bill, against an credible threat posed by an unmanned aircraft system to public

safety. This bill provides that any unmanned aircraft seized pursuant to this bill will be subject to forfeiture under the Missouri Criminal Activity Forfeiture Act.

DRUG TRAFFICKING (Sections 579.022, 579.065 and 579.068)

Currently, the offense of delivery of a controlled substance causing death requires that the person who commits the offense knows that the controlled substance is mixed with another controlled substance. This bill removes that element.

Currently, trafficking drugs in the first degree is a class B felony if the person knowingly distributes, delivers, manufactures, or produces, or attempts to distribute, deliver, manufacture, or produce more than 10 milligrams of fentanyl or carfentanil. It is a class A felony if the amount is 20 milligrams or more.

This bill amends the quantities of fentanyl for the offense of trafficking of drugs in the first degree, as follows:

- (1) Drug trafficking in the first degree is a class B felony for more than three milligrams of fentanyl; and
- (2) Drug trafficking in the first degree is a class A felony for at least 14 milligrams of fentanyl;

The bill amends the offense of trafficking drugs in the first degree so that trafficking any amount of carfentanil milligrams is a class B felony and trafficking more than .05 milligrams is a class A felony.

Currently, trafficking drugs in the second degree is a class C felony if the person knowingly possesses or has under his or her control, purchases or attempts to purchase, or brings into this State more than 10 milligrams of fentanyl or carfentanil, and is a class B felony if the amount is 20 milligrams or more.

This bill amends the quantities of fentanyl for the offense of trafficking of drugs in the second degree, as follows:

- (1) Drug trafficking in the second degree is a class C felony for more than three milligrams of fentanyl;
- (2) Drug trafficking in the second degree is a class B felony for at least 14 milligrams of fentanyl.

The bill amends the offense of trafficking drugs in the second degree so that trafficking any amount of carfentanil is a class C felony, and trafficking more than .05 milligrams is a class B felony.

MISSOURI RANGERS PROGRAM (Section 590.1300)

The bill requires the POST Commission to establish a training program to be known as the "Missouri Rangers", and must establish minimum standards for training instructors, training centers, and training programs that focus on preventing and responding to emergency or violent crisis situations in school settings.

The arrest powers granted to any person who successfully completes the Missouri Rangers training program will be limited to:

- (1) Missouri Rangers who are actively employed by the school or school district;
- (2) Any property or premises owned, leased, rented, or possessed by the school or school district, including any school buses; and
- (3) Weapons offenses and any trespass offense involving school property, provided that such provision will not apply to any person who is an active law enforcement officer.

The training program will be established by the POST Commission. The program must not be longer than 160 hours, and will consist of state and federal constitutional and statutory law; firearms training; close quarter combat; implicit and racial bias; active shooter training; defensive tactics; and any other related training deemed necessary by the POST Commission. An applicant must not be granted entry to the training program without successfully completing the physical training requirements for their age range.

The POST Commission is granted the authority to promulgate rules for continuing education training for the Missouri Rangers. The POST Commission is authorized to develop a part-time training program if it meets all the requirements of this bill. The POST Commission will also create an abbreviated training program for applicants that are active or retired law enforcement officers, or active or retired military personnel.

A certificate of Missouri Ranger training program completion and a Ranger badge can be issued to any person that successfully completes the training program. A copy of such certificate must be provided to the director of the Department of Public Safety.

Under this bill, the outermost garment of the Missouri Ranger uniform must display the title "RANGER" in capitalized block letters.

A Missouri Ranger can, if authorized by the hiring school or school district, carry certain weapons onto any school bus or school property. A hiring school or school district must decide whether a Missouri Ranger will carry certain weapons while on duty, the type of weapon, and whether the weapon can be concealed. Each Ranger will use a level three retention holster while on duty.

For the purpose of liability and workers' compensation, each Missouri Ranger will be considered an employee of the school or school district that hires them. All other benefits, such as health and retirement benefits, can be offered to the Ranger at the discretion of the school or school district. Rangers can be employed and compensated as a full- or part-time employee, or as a volunteer without compensation. Rangers will have qualified immunity.

CRIMINAL RECORD EXPUNGEMENT (Sections 610.141, 610.143 and 610.144)

This bill requires all eligible offenses, as that term is defined in the bill, to automatically be expunged upon eligibility. These provisions must apply retroactively to any arrest, charge, trial, or conviction for which there is an electronic record regardless of the date that the arrest was made, the charges were brought, the trial occurred, or the conviction was entered.

The central repository will, at least once a week, automatically screen criminal history record information contained in the statewide criminal history database for eligible offenses, and the offenses will be automatically expunged. Once the eligible offense is expunged, an offense record status will reflect the expungement in the criminal history system by the Missouri Uniform Law Enforcement System. The central repository will, at least on a weekly basis, send the Supreme Court of Missouri a list of all expunged offense charges since the previous report.

Any agency releasing investigative reports under this Section will treat the information as a closed record.

An offender will be limited to three misdemeanor and two felony expungements. Where a criminal case contains more than one expungable offense, the offense with the highest level penalty will be the only offense considered for expungement.

Beginning January 1, 2028, the Missouri State Highway Patrol will submit a report to certain entities providing statistical information as to the number of expungements. The data will be aggregated by race, sex, age, circuit, county, and offense type. These provisions will be effective when technically feasible, but not later than January 1, 2027.

The Missouri State Highway Patrol will provide a consumer reporting agency with information to identify expunged records. The Office of State Courts Administrator, Department of Corrections, and the Missouri State Highway Patrol must jointly develop a document outlining certain details about any expungement.

Records of arrest, indictments pending trial, and convictions of crimes will no longer be reported if a full pardon or expungement has been granted. If a violation of these provisions occurs, the Attorney General may bring a cause of action.

Immunity will be granted to an employer, volunteer organization, or landlord who employs an individual whose criminal history record has been expunged, unless such employer, volunteer organization, or landlord fails to exercise reasonable care in determining that the employee or tenant does not pose a danger or risk to others. A person granted an expungement must disclose any expunged offense if the disclosure of such information is necessary to complete an application for employment under certain circumstances, as described in the bill.

This bill creates within the State Treasury the "Missouri Expungement Fund", which is a fund dedicated to the creation, operation, and maintenance of the program. The Office of State Courts Administrator and the Department of Public Safety will expend money from the Fund, upon appropriation, for purposes specified in the bill.

DEPUTY BOILER INSPECTORS (Section 650.240)

This bill repeals the appointment experience requirements for deputy boiler inspectors.

EMERGENCY CLAUSE (Section B)

This bill has an Emergency Clause regarding Sections 577.800, 589.900 and 589.902.

SEVERABILITY CLAUSE (Section C)

This bill contains a severability clause.