



MISSOURI HOUSE OF REPRESENTATIVES  
**WITNESS APPEARANCE FORM**

|  |             |   |
|--|-------------|---|
| BILL NUMBER:<br><b>HB 1733</b>   |             | DATE:<br><b>2/25/2026</b>                 |
| COMMITTEE:<br><b>Local Government</b>  |             |   |
| <b>TESTIFYING:</b> <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES |             |   |
| <b>WITNESS NAME</b>  |             |   |
| <b>BUSINESS/ORGANIZATION:</b>  |             |   |
| WITNESS NAME:<br><b>CORY HOGAN</b>   |             | PHONE NUMBER:<br><b>636-368-1704</b>      |
| BUSINESS/ORGANIZATION NAME:<br><b>MISSOURI STATE COUNCIL OF FIRE FIGHTERS</b>  |             | TITLE:<br><b>LEGISLATOR ADVISOR</b>       |
| ADDRESS:<br><b>115 MCMENAMY RD.</b>  |             |   |
| CITY:<br><b>ST. PETERS</b>   |             | STATE:<br><b>MO</b>                       |
|  |             | ZIP:<br><b>63376</b>                      |
| EMAIL:   | ATTENDANCE: | SUBMIT DATE:<br><b>2/25/2026 12:00 AM</b> |
| <b>THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.</b>  |             |   |



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| <b>WITNESS NAME</b>  |             |   |                      |
| <b>BUSINESS/ORGANIZATION:</b>  |             |   |                      |
| WITNESS NAME:<br><b>GARRETT RYAN</b>   |             | PHONE NUMBER:<br><b>314-583-3027</b>      |                      |
| BUSINESS/ORGANIZATION NAME:<br><b>INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS</b>   |             | TITLE:<br><b>POLITICAL DIRECTOR</b>       |                      |
| ADDRESS:<br><b>1120 CENTRE LAKE DRIVE</b>  |             |   |                      |
| CITY:<br><b>COTTLEVILLE</b>  |             | STATE:<br><b>MO</b>                       | ZIP:<br><b>63376</b> |
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| <b>WITNESS NAME</b>  |             |   |                      |
| <b>REGISTERED LOBBYIST:</b>  |             |   |                      |
| WITNESS NAME:<br><b>TOM DEMPSEY</b>  |             | PHONE NUMBER:<br><b>636-288-7461</b>      |                      |
| REPRESENTING:<br><b>MISSOURI ASSOCIATION OF FIRE PROTECTION DISTRICTS</b>  |             | TITLE:                                    |                      |
| ADDRESS:<br><b>3103 BUCKSKIN PATH</b>  |             |   |                      |
| CITY:<br><b>ST. CHARLES</b>  |             | STATE:<br><b>MO</b>                       | ZIP:<br><b>63301</b> |
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| <b>REGISTERED LOBBYIST:</b>  |             |   |
| WITNESS NAME:<br><b>BRENT HEMPHILL</b>   |             | PHONE NUMBER:                             |
| REPRESENTING:<br><b>MISSOURI AMBULANCE ASSOCIATION</b>   |             | TITLE:                                    |
| ADDRESS:<br><b>POB 156</b>   |             |   |
| CITY:<br><b>JEFF CITY</b>  |             | STATE:<br><b>MO</b>                       |
|  |             | ZIP:<br><b>65101</b>                      |
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| <b>WITNESS NAME</b>  |                                 |  |
| <b>REGISTERED LOBBYIST:</b>  |                                 |  |
| WITNESS NAME:<br><b>DAVID J KLARICH</b>  |                                 | PHONE NUMBER:<br><b>314-560-1616</b>     |
| REPRESENTING:<br><b>ROBERTSON FIRE PROTECTION DISTRICT</b>   |                                 | TITLE:<br><b>ATTORNEY</b>                |
| ADDRESS:<br><b>438 GATEFORD DRIVE</b>  |                                 |  |
| CITY:<br><b>BALLWIN</b>  |                                 | STATE:<br><b>MO</b>                      |
|  |                                 | ZIP:<br><b>63021</b>                     |
| EMAIL:<br><b>dklarich@sbcglobal.net</b>  | ATTENDANCE:<br><b>In-Person</b> | SUBMIT DATE:<br><b>2/25/2026 6:16 AM</b> |
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| <b>WITNESS NAME</b>  |             |   |                      |
| <b>REGISTERED LOBBYIST:</b>  |             |   |                      |
| WITNESS NAME:<br><b>JORGEN SCHLEMEIER</b>  |             | PHONE NUMBER:<br><b>573-634-4876</b>      |                      |
| REPRESENTING:<br><b>MISSOURI ASSOCIATION FIRE PROTECTION DISTRICTS &amp;<br/>MISSOURI COLLEGE OF EMERGENCY PHYSICIANS</b>  |             | TITLE:                                    |                      |
| ADDRESS:<br><b>213 EAST CAPITOL AVENUE</b>   |             |   |                      |
| CITY:<br><b>JEFFERSON CITY</b>   |             | STATE:<br><b>MO</b>                       | ZIP:<br><b>65101</b> |
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| <b>WITNESS NAME</b>  |             |   |                      |
| <b>BUSINESS/ORGANIZATION:</b>  |             |   |                      |
| WITNESS NAME:<br><b>MATTHEW BRODERSON</b>  |             | PHONE NUMBER:<br><b>573-817-2554</b>      |                      |
| BUSINESS/ORGANIZATION NAME:<br><b>MIRMA</b>  |             | TITLE:                                    |                      |
| ADDRESS:<br><b>3002 FALLING LEAF CT</b>  |             |   |                      |
| CITY:<br><b>COLUMBIA</b>   |             | STATE:<br><b>MO</b>                       | ZIP:<br><b>65201</b> |
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| <b>WITNESS NAME</b>  |                               |  |
| <b>INDIVIDUAL:</b>   |                               |  |
| WITNESS NAME:<br><b>SARAH BERRY</b>  |                               | PHONE NUMBER:                            |
| BUSINESS/ORGANIZATION NAME:  |                               | TITLE:                                   |
| ADDRESS:   |                               |  |
| CITY:  | STATE:                        | ZIP:                                     |
| EMAIL:   | ATTENDANCE:<br><b>Written</b> | SUBMIT DATE:<br><b>2/24/2026 1:18 PM</b> |
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**1. Separation of Powers / Home Rule Intrusion**

This bill imposes a statewide procedural code on all local fire districts, municipalities, ambulance districts, and 911 agencies.

Missouri municipalities possess constitutional home rule authority (Mo. Const. Art. VI). A mandatory, detailed interrogation and discipline scheme that overrides local personnel procedures may invite:

- Home rule challenges
- Contract clause conflicts with existing collective bargaining agreements
- Preemption disputes with civil service statutes

If the General Assembly intends to preempt local discipline frameworks, that intent must be unmistakably clear and narrowly tailored.

**2. Compelled Immunity Language (Garrity Overreach)**

Section 320.506 requires employers to provide a formal written grant of immunity from criminal prosecution before compelling answers.

Under *Garrity v. New Jersey*, immunity attaches constitutionally when compelled statements are used — but a statute mandating formal immunity grants risks:

- Interference with prosecutorial discretion
- Separation of powers conflict (executive charging authority)
- Litigation over whether statutory “immunity” exceeds constitutional Garrity protections

The legislature cannot mandate prosecutorial immunity mechanics in a way that binds constitutional officers without clear coordination.

**3. One-Year Discipline Bar — Due Process & Public Safety Risk**

Section 320.508(4) bars discipline if investigation is not completed within one year (with limited tolling).

This creates:

**A statutory safe harbor for misconduct  
Litigation over “discovery” timing  
Risk of arbitrary reinstatement of employees due to procedural technicalities**

**Rigid limitations periods in internal investigations may conflict with public safety interests and could be challenged as irrational if applied in serious misconduct contexts.**

#### **4. Broad Civil Penalty Exposure (Section 320.524)**

**The bill creates:  
Mandatory injunctive relief  
Civil penalties up to \$25,000 per violation  
Attorney’s fees  
Personal damages  
“Malicious violation” standard**

**This significantly expands municipal liability exposure and may conflict with sovereign immunity principles and § 537 frameworks governing public entity liability.**

**The bill also creates asymmetry: firefighters gain statutory damages leverage; agencies do not receive parallel procedural protections.**

#### **5. Mandatory Legal Defense Provision**

**Section 320.528(2) requires an employer to provide legal defense for any firefighter named in civil litigation “relating to such duties.”**

**This language is extremely broad and may:  
Override municipal insurance structures  
Expand indemnification beyond existing § 537.700 frameworks  
Create fiscal exposure for intentional tort litigation  
No limiting standard (e.g., “good faith” or “within scope and without malice”) is clearly defined.**

#### **6. Locker Search / Social Media Restrictions**

**The locker search provision and absolute prohibition on requesting social media credentials may conflict with:  
Employer property rights  
Public records obligations**

**Investigatory authority in misconduct cases  
Overbroad drafting increases litigation exposure.**

**Bottom Line  
HB 1733 is not facially unconstitutional, but it:**

**Intrudes into local government authority**

**Risks separation-of-powers conflict regarding immunity**

**Expands municipal liability**

**Imposes rigid procedural barriers that may**

**undermine public safety investigations**

**If protections for firefighters are desired, they should be harmonized with existing Missouri civil service law and constitutional limits, not enacted as an independent statewide procedural code.**



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| <b>WITNESS NAME</b>  |             |   |
| <b>REGISTERED LOBBYIST:</b>  |             |   |
| WITNESS NAME:<br><b>STEVE CARROLL</b>  |             | PHONE NUMBER:                             |
| REPRESENTING:<br><b>MEHLVILLE FIRE PROTECTION DISTRICT</b>   |             | TITLE:                                    |
| ADDRESS:<br><b>215 E. CAPITOL AVE.</b>   |             |   |
| CITY:<br><b>JEFFERSON CITY</b>   |             | STATE:<br><b>MO</b>                       |
|  |             | ZIP:<br><b>65101</b>                      |
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| <b>WITNESS NAME</b>  |                                 |   |
| <b>INDIVIDUAL:</b>   |                                 |   |
| WITNESS NAME:<br><b>ARNIE C. "HONEST-ABE" DIENOFF-STATE PUBLIC ADVOCAT</b>   |                                 | PHONE NUMBER:                             |
| BUSINESS/ORGANIZATION NAME:  |                                 | TITLE:                                    |
| ADDRESS:   |                                 |   |
| CITY:  |                                 | STATE:      ZIP:                          |
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**This Bill is very rough. This Legislation NEEDS a lot of thought, debate, flushing-out and rewriting of this Legislation.**