

SECOND REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
**SENATE BILL NO. 773**  
**97TH GENERAL ASSEMBLY**

5427H.04C

D. ADAM CRUMBLISS, Chief Clerk

---

**AN ACT**

To repeal sections 49.266, 57.015, 84.340, 94.902, 190.105, 287.243, 307.375, 321.130, 321.210, 565.024, 566.135, and 571.030, RSMo, and to enact in lieu thereof twenty new sections relating to public safety, with penalty provisions and an emergency clause for certain sections.

---

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

Section A. Sections 49.266, 57.015, 84.340, 94.902, 190.105, 287.243, 307.375, 321.130, 321.210, 565.024, 566.135, and 571.030, RSMo, are repealed and twenty new sections enacted in lieu thereof, to be known as sections 44.095, 49.266, 57.015, 84.340, 94.902, 190.105, 190.255, 190.336, 287.243, 304.055, 304.065, 307.375, 321.130, 321.210, 565.024, 566.135, 571.030, 590.750, 650.345, and 701.382, to read as follows:

- 44.095. 1. As used in this section, the following terms mean:**
- (1) "Critical incident", an incident that could result in serious physical injury or loss of life;**
  - (2) "Kansas border counties", the counties of Johnson, Leavenworth, Miami, and Wyandotte;**
  - (3) "Law enforcement mutual aid region", the nine counties of the Kansas City Metropolitan area as identified by the Mid-America Regional Council (MARC). Those counties include Kansas border counties and Missouri border counties as defined in this section;**
  - (4) "Missouri border counties", the counties of Platte, Clay, Ray, Jackson, and Cass;**
  - (5) "Noncritical incident", an incident or event that requires specialized equipment, training, or resources that can be provided from an outside agency in that region.**

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.

14           **2. All law enforcement officers in the law enforcement mutual aid region shall be**  
15 **permitted, in critical incidents or noncritical incidents, to respond to lawful requests for**  
16 **aid in any other jurisdiction in the law enforcement mutual aid region.**

17           **3. The on-scene incident commander as defined by the National Incident**  
18 **Management System shall have the authority to make a request for assistance in a critical**  
19 **incident and shall be responsible for on-scene management until command authority is**  
20 **transferred to another person.**

21           **4. The chief executive of the requesting political subdivision or public safety agency**  
22 **or his or her designee shall have the authority to make a request for assistance in a**  
23 **noncritical incident. The request shall be made to the chief executive of the assisting**  
24 **political subdivision or public safety agency or his or her designee.**

25           **5. In the event that an officer makes an arrest or apprehension outside his or her**  
26 **home state, the offender shall be delivered to the first officer who is commissioned in the**  
27 **jurisdiction in which the arrest was made.**

28           **6. For the purposes of liability, all members of any political subdivision or public**  
29 **safety agency responding under operational control of the requesting political subdivision**  
30 **or public safety agency are deemed employees of such responding political subdivision or**  
31 **public safety agency and are subject to the liability and workers' compensation provisions**  
32 **provided to them as employees of their respective political subdivision or public safety**  
33 **agency. Qualified immunity, sovereign immunity, official immunity, and the public duty**  
34 **rule shall apply to the provisions of this section as interpreted by the federal and state**  
35 **courts of the responding agency.**

36           **7. If the director of the Missouri department of public safety determines that the**  
37 **state of Kansas has enacted legislation or the governor of Kansas has issued an executive**  
38 **order or similar action that permits Kansas border counties to enter into a similar mutual-**  
39 **aid agreement as described under this section, then the director shall execute and deliver**  
40 **to the governor, the speaker of the house of representatives, and the president pro tempore**  
41 **of the senate a written certification of such determination. Upon the execution and delivery**  
42 **of such written certification and the parties receiving such certification providing a**  
43 **unanimous written affirmation, the provisions of this section shall be effective unless**  
44 **otherwise provided by law.**

45           **8. The director of the Missouri department of public safety shall notify the revisor**  
46 **of statutes of any changes that would render the provisions of this section effective.**

49.266. 1. The county commission in all **noncharter** counties [of the first, second or  
2 fourth classification] may by order or ordinance promulgate reasonable regulations concerning

3 the use of county property, the hours, conditions, methods and manner of such use and the  
4 regulation of pedestrian and vehicular traffic and parking thereon.

5 2. Violation of any regulation so adopted under subsection 1 of this section is an  
6 infraction.

7 3. Upon a determination by the [state fire marshal] **county commission** that a burn ban  
8 order is appropriate for a county because:

9 (1) An actual or impending occurrence of a natural disaster of major proportions within  
10 the county jeopardizes the safety and welfare of the inhabitants of such county; and

11 (2) The [U.S. Drought Monitor has] **Keetch-Byram Drought Index reflects 425 or**  
12 **greater for the** designated [the] county [as an area of severe, extreme, or exceptional drought,]  
13 **or the National Weather Service has issued a "red flag" warning for the county,** the county  
14 commission may adopt an order or ordinance issuing a burn ban, which may carry a penalty of  
15 up to a class A misdemeanor. State agencies responsible for fire management or suppression  
16 activities and persons conducting agricultural burning using best management practices shall not  
17 be subject to the provisions of this subsection. The ability of an individual, organization, or  
18 corporation to sell fireworks shall not be affected by the issuance of a burn ban. [The county  
19 burn ban may prohibit the explosion or ignition of any missile or skyrocket as the terms "missile"  
20 and "skyrocket" are defined by the 2012 edition of the American Fireworks Standards  
21 Laboratory, but shall not ban the explosion or ignition of any other consumer fireworks as the  
22 term "consumer fireworks" is defined under section 320.106.]

23 4. The regulations so adopted shall be codified, printed and made available for public  
24 use and adequate signs concerning smoking, traffic and parking regulations shall be posted.

57.015. [As used in this chapter] **For purposes of section 57.275,** the following words  
2 and terms shall have the following meaning:

3 (1) "Deputy sheriff" or "officer", any deputy sheriff who is employed full time by a law  
4 enforcement agency, authorized by this chapter and certified pursuant to chapter 590. This term  
5 shall not include an officer serving in probationary status or one year, whichever is longer, upon  
6 initial employment. This term shall not include any deputy sheriff with the rank of lieutenant  
7 and above, or any chief deputies, under sheriffs and the command staff as defined by the sheriff's  
8 department policy and procedure manual;

9 (2) "Hearing", a closed meeting conducted by a hearing board appointed by the sheriff  
10 for the purpose of receiving evidence in order to determine the facts regarding the dismissal of  
11 a deputy sheriff. Witnesses to the event that triggered the dismissal may attend the hearing for  
12 the limited purpose of providing testimony; the attorney for the deputy dismissed may attend the  
13 hearing, but only to serve as an observer; the sheriff and his or her attorney may attend the  
14 hearing, but only to serve as an observer;

15 (3) "Hearing board", the individuals appointed by the sheriff for the purpose of receiving  
16 evidence in order to determine the facts regarding the dismissal of a deputy sheriff; and

17 (4) "Law enforcement agency", any county sheriff's office of this state that employs  
18 county law enforcement deputies authorized by this chapter and certified by chapter 590.

84.340. **Except as provided under section 590.750**, the police commissioner of the said  
2 cities shall have power to regulate and license all private watchmen, private detectives and  
3 private policemen, serving or acting as such in said cities, and no person shall act as such private  
4 watchman, private detective or private policeman in said cities without first having obtained the  
5 written license of the president or acting president of said police commissioners of the said cities,  
6 under pain of being guilty of a misdemeanor.

94.902. 1. The governing [body] **bodies of the following cities may impose a tax as  
2 provided in this section:**

3 (1) Any city of the third classification with more than twenty-six thousand three hundred  
4 but less than twenty-six thousand seven hundred inhabitants[, or] ;

5 (2) Any city of the fourth classification with more than thirty thousand three hundred but  
6 fewer than thirty thousand seven hundred inhabitants[, or] ;

7 (3) Any city of the fourth classification with more than twenty-four thousand eight  
8 hundred but fewer than twenty-five thousand inhabitants[.] ;

9 (4) **Any special charter city with more than twenty-nine thousand but fewer than  
10 thirty-two thousand inhabitants; or**

11 (5) **Any city of the third classification with more than four thousand but fewer than  
12 four thousand five hundred inhabitants and located in any county of the first classification  
13 with more than two hundred thousand but fewer than two hundred sixty thousand  
14 inhabitants.**

15 2. **The governing body of any city listed in subsection 1 of this section** may impose,  
16 by order or ordinance, a sales tax on all retail sales made in the city which are subject to taxation  
17 under chapter 144. The tax authorized in this section may be imposed in an amount of up to one-  
18 half of one percent, and shall be imposed solely for the purpose of improving the public safety  
19 for such city, including but not limited to expenditures on equipment, city employee salaries and  
20 benefits, and facilities for police, fire and emergency medical providers. The tax authorized in  
21 this section shall be in addition to all other sales taxes imposed by law, and shall be stated  
22 separately from all other charges and taxes. The order or ordinance imposing a sales tax under  
23 this section shall not become effective unless the governing body of the city submits to the voters  
24 residing within the city, at a county or state general, primary, or special election, a proposal to  
25 authorize the governing body of the city to impose a tax under this section.

26 [2.] 3. The ballot of submission for the tax authorized in this section shall be in  
27 substantially the following form:

28 Shall the city of ..... (city's name) impose a citywide sales tax at  
29 a rate of ..... (insert rate of percent) percent for the purpose of improving the public safety of  
30 the city?

31  YES  NO

32 If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed  
33 to the question, place an "X" in the box opposite "NO".

34

35 If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor  
36 of the proposal, then the ordinance or order and any amendments to the order or ordinance shall  
37 become effective on the first day of the second calendar quarter after the director of revenue  
38 receives notice of the adoption of the sales tax. If a majority of the votes cast on the proposal  
39 by the qualified voters voting thereon are opposed to the proposal, then the tax shall not become  
40 effective unless the proposal is resubmitted under this section to the qualified voters and such  
41 proposal is approved by a majority of the qualified voters voting on the proposal. However, in  
42 no event shall a proposal under this section be submitted to the voters sooner than twelve months  
43 from the date of the last proposal under this section.

44 [3.] 4. Any sales tax imposed under this section shall be administered, collected,  
45 enforced, and operated as required in section 32.087. All sales taxes collected by the director  
46 of the department of revenue under this section on behalf of any city, less one percent for cost  
47 of collection which shall be deposited in the state's general revenue fund after payment of  
48 premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust  
49 fund, which is hereby created in the state treasury, to be known as the "City Public Safety Sales  
50 Tax Trust Fund". The moneys in the trust fund shall not be deemed to be state funds and shall  
51 not be commingled with any funds of the state. The provisions of section 33.080 to the contrary  
52 notwithstanding, money in this fund shall not be transferred and placed to the credit of the  
53 general revenue fund. The director shall keep accurate records of the amount of money in the  
54 trust fund and which was collected in each city imposing a sales tax under this section, and the  
55 records shall be open to the inspection of officers of the city and the public. Not later than the  
56 tenth day of each month the director shall distribute all moneys deposited in the trust fund during  
57 the preceding month to the city which levied the tax. Such funds shall be deposited with the city  
58 treasurer of each such city, and all expenditures of funds arising from the trust fund shall be by  
59 an appropriation act to be enacted by the governing body of each such city. Expenditures may  
60 be made from the fund for any functions authorized in the ordinance or order adopted by the  
61 governing body submitting the tax to the voters. If the tax is repealed, all funds remaining in the

62 special trust fund shall continue to be used solely for the designated purposes. Any funds in the  
63 special trust fund which are not needed for current expenditures shall be invested in the same  
64 manner as other funds are invested. Any interest and moneys earned on such investments shall  
65 be credited to the fund.

66 [4.] 5. The director of the department of revenue may authorize the state treasurer to  
67 make refunds from the amounts in the trust fund and credited to any city for erroneous payments  
68 and overpayments made, and may redeem dishonored checks and drafts deposited to the credit  
69 of such cities. If any city abolishes the tax, the city shall notify the director of the action at least  
70 ninety days before the effective date of the repeal, and the director may order retention in the  
71 trust fund, for a period of one year, of two percent of the amount collected after receipt of such  
72 notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and  
73 drafts deposited to the credit of such accounts. After one year has elapsed after the effective date  
74 of abolition of the tax in such city, the director shall remit the balance in the account to the city  
75 and close the account of that city. The director shall notify each city of each instance of any  
76 amount refunded or any check redeemed from receipts due the city.

77 [5.] 6. The governing body of any city that has adopted the sales tax authorized in this  
78 section may submit the question of repeal of the tax to the voters on any date available for  
79 elections for the city. The ballot of submission shall be in substantially the following form:

80 Shall ..... (insert the name of the city) repeal the sales tax  
81 imposed at a rate of ..... (insert rate of percent) percent for the purpose of improving the public  
82 safety of the city?

83  YES  NO

84 If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become  
85 effective on December thirty-first of the calendar year in which such repeal was approved. If a  
86 majority of the votes cast on the question by the qualified voters voting thereon are opposed to  
87 the repeal, then the sales tax authorized in this section shall remain effective until the question  
88 is resubmitted under this section to the qualified voters, and the repeal is approved by a majority  
89 of the qualified voters voting on the question.

90 [6.] 7. Whenever the governing body of any city that has adopted the sales tax authorized  
91 in this section receives a petition, signed by ten percent of the registered voters of the city voting  
92 in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this  
93 section, the governing body shall submit to the voters of the city a proposal to repeal the tax. If  
94 a majority of the votes cast on the question by the qualified voters voting thereon are in favor of  
95 the repeal, that repeal shall become effective on December thirty-first of the calendar year in  
96 which such repeal was approved. If a majority of the votes cast on the question by the qualified  
97 voters voting thereon are opposed to the repeal, then the tax shall remain effective until the

98 question is resubmitted under this section to the qualified voters and the repeal is approved by  
99 a majority of the qualified voters voting on the question.

100 [7.] 8. Except as modified in this section, all provisions of sections 32.085 and 32.087  
101 shall apply to the tax imposed under this section.

190.105. 1. No person, either as owner, agent or otherwise, shall furnish, operate,  
2 conduct, maintain, advertise, or otherwise be engaged in or profess to be engaged in the business  
3 or service of the transportation of patients by ambulance in the air, upon the streets, alleys, or any  
4 public way or place of the state of Missouri unless such person holds a currently valid license  
5 from the department for an ambulance service issued pursuant to the provisions of sections  
6 190.001 to 190.245.

7 2. No ground ambulance shall be operated for ambulance purposes, and no individual  
8 shall drive, attend or permit it to be operated for such purposes in the state of Missouri unless  
9 the ground ambulance is under the immediate supervision and direction of a person who is  
10 holding a currently valid Missouri license as an emergency medical technician. Nothing in this  
11 section shall be construed to mean that a duly registered nurse or a duly licensed physician be  
12 required to hold an emergency medical technician's license. Each ambulance service is  
13 responsible for assuring that any person driving its ambulance is competent in emergency vehicle  
14 operations and has a safe driving record. Each ground ambulance shall be staffed with at least  
15 two licensed individuals when transporting a patient, except as provided in section 190.094. **In**  
16 **emergency situations which require additional medical personnel to assist the patient**  
17 **during transportation, a first responder, firefighter, or law enforcement personnel with a**  
18 **valid driver's license and prior experience with driving emergency vehicles may drive the**  
19 **ground ambulance provided the ground ambulance service stipulates to this practice in**  
20 **operational policies.**

21 3. No license shall be required for an ambulance service, or for the attendant of an  
22 ambulance, which:

23 (1) Is rendering assistance in the case of an emergency, major catastrophe or any other  
24 unforeseen event or series of events which jeopardizes the ability of the local ambulance service  
25 to promptly respond to emergencies; or

26 (2) Is operated from a location or headquarters outside of Missouri in order to transport  
27 patients who are picked up beyond the limits of Missouri to locations within or outside of  
28 Missouri, but no such outside ambulance shall be used to pick up patients within Missouri for  
29 transportation to locations within Missouri, except as provided in subdivision (1) of this  
30 subsection.

31 4. The issuance of a license pursuant to the provisions of sections 190.001 to 190.245  
32 shall not be construed so as to authorize any person to provide ambulance services or to operate

33 any ambulances without a franchise in any city not within a county or in a political subdivision  
34 in any county with a population of over nine hundred thousand inhabitants, or a franchise,  
35 contract or mutual-aid agreement in any other political subdivision which has enacted an  
36 ordinance making it unlawful to do so.

37         5. Sections 190.001 to 190.245 shall not preclude the adoption of any law, ordinance or  
38 regulation not in conflict with such sections by any city not within a county, or at least as strict  
39 as such sections by any county, municipality or political subdivision except that no such  
40 regulations or ordinances shall be adopted by a political subdivision in a county with a  
41 population of over nine hundred thousand inhabitants except by the county's governing body.

42         6. In a county with a population of over nine hundred thousand inhabitants, the  
43 governing body of the county shall set the standards for all ambulance services which shall  
44 comply with subsection 5 of this section. All such ambulance services must be licensed by the  
45 department. The governing body of such county shall not prohibit a licensed ambulance service  
46 from operating in the county, as long as the ambulance service meets county standards.

47         7. An ambulance service or vehicle when operated for the purpose of transporting  
48 persons who are sick, injured, or otherwise incapacitated shall not be treated as a common or  
49 contract carrier under the jurisdiction of the Missouri division of motor carrier and railroad  
50 safety.

51         8. Sections 190.001 to 190.245 shall not apply to, nor be construed to include, any motor  
52 vehicle used by an employer for the transportation of such employer's employees whose illness  
53 or injury occurs on private property, and not on a public highway or property, nor to any person  
54 operating such a motor vehicle.

55         9. A political subdivision that is authorized to operate a licensed ambulance service may  
56 establish, operate, maintain and manage its ambulance service, and select and contract with a  
57 licensed ambulance service. Any political subdivision may contract with a licensed ambulance  
58 service.

59         10. Except as provided in subsections 5 and 6, nothing in section 67.300, or subsection  
60 2 of section 190.109, shall be construed to authorize any municipality or county which is located  
61 within an ambulance district or a fire protection district that is authorized to provide ambulance  
62 service to promulgate laws, ordinances or regulations related to the provision of ambulance  
63 services. This provision shall not apply to any municipality or county which operates an  
64 ambulance service established prior to August 28, 1998.

65         11. Nothing in section 67.300 or subsection 2 of section 190.109 shall be construed to  
66 authorize any municipality or county which is located within an ambulance district or a fire  
67 protection district that is authorized to provide ambulance service to operate an ambulance  
68 service without a franchise in an ambulance district or a fire protection district that is authorized

69 to provide ambulance service which has enacted an ordinance making it unlawful to do so. This  
70 provision shall not apply to any municipality or county which operates an ambulance service  
71 established prior to August 28, 1998.

72 12. No provider of ambulance service within the state of Missouri which is licensed by  
73 the department to provide such service shall discriminate regarding treatment or transportation  
74 of emergency patients on the basis of race, sex, age, color, religion, sexual preference, national  
75 origin, ancestry, handicap, medical condition or ability to pay.

76 13. No provision of this section, other than subsections 5, 6, 10 and 11 of this section,  
77 is intended to limit or supersede the powers given to ambulance districts pursuant to this chapter  
78 or to fire protection districts pursuant to chapter 321, or to counties, cities, towns and villages  
79 pursuant to chapter 67.

80 14. Upon the sale or transfer of any ground ambulance service ownership, the owner of  
81 such service shall notify the department of the change in ownership within thirty days of such  
82 sale or transfer. After receipt of such notice, the department shall conduct an inspection of the  
83 ambulance service to verify compliance with the licensure standards of sections 190.001 to  
84 190.245.

**190.255. 1. Any qualified first responder may obtain and administer naloxone to  
2 a person suffering from an apparent narcotic or opiate-related overdose in order to revive  
3 the person.**

**4 2. Any licensed drug distributor or pharmacy in Missouri may sell naloxone to  
5 qualified first responder agencies to allow the agency to stock naloxone for the  
6 administration of such drug to persons suffering from an apparent narcotic or opiate  
7 overdose in order to revive the person.**

**8 3. For the purposes of this section, "qualified first responder" shall mean any state  
9 and local law enforcement agency staff, fire department personnel, fire district personnel,  
10 or licensed emergency medical technician who is acting under the directives and  
11 established protocols of a medical director of a local licensed ground ambulance service  
12 licensed under section 190.109 who comes in contact with a person suffering from an  
13 apparent narcotic or opiate-related overdose and who has received training in recognizing  
14 and responding to a narcotic or opiate overdose and the administration of naloxone to a  
15 person suffering from an apparent narcotic or opiate-related overdose. "Qualified first  
16 responder agencies" shall mean any state or local law enforcement agency, fire department,  
17 or ambulance service that provides documented training to its staff related to the  
18 administration of naloxone in an apparent narcotic or opiate overdose situation.**

**19 4. A qualified first responder shall only administer naloxone by such means as the  
20 qualified first responder has received training for the administration of naloxone.**

**190.336. 1. Each member of an emergency services board established pursuant to section 190.335 shall be subject to recall from office by the registered voters of the election district from which he or she was elected. Proceedings may be commenced for the recall of any such member by the filing of a notice of intention to circulate a recall petition under this section.**

**2. Proceedings may not be commenced against any member if at the time of commencement such member:**

**(1) Has not held office during his or her current term for a period of more than one hundred eighty days;**

**(2) Has one hundred eighty days or less remaining in his or her term; or**

**(3) Has had a recall election determined in his or her favor within the current term of office.**

**3. The notice of intention to circulate a recall petition shall be served personally or by certified mail on the board member sought to be recalled. A copy thereof shall be filed along with an affidavit of the time and manner of service with the election authority, as defined in chapter 115. A separate notice shall be filed for each board member sought to be recalled and shall contain all of the following:**

**(1) The name of the board member sought to be recalled;**

**(2) A statement not exceeding two hundred words in length of the reasons for the proposed recall; and**

**(3) The names and business or residential addresses of at least one but not more than five proponents of the recall.**

**4. Within seven days after the filing of the notice of intention, the board member may file with the election authority a statement not exceeding two hundred words in length in answer to the statement of the proponents. If an answer is filed, the board member shall also serve a copy of it personally or by certified mail on one of the proponents named in the notice of intention. The statement and answer are intended solely to be used for the information of the voters. No insufficiency in form or substance of such statements shall affect the validity of the election proceedings.**

**5. Before any signature may be affixed to a recall petition, the petition is required to bear all of the following:**

**(1) A request that an election be called to elect a successor to the board member;**

**(2) A copy of the notice of intention including the statement of grounds for recall;**

**(3) The answer of the board member sought to be recalled, if any exists. If the board member has not answered, the petition shall so state; and**

36           **(4) A place for each signer to affix his or her signature, printed name, and**  
37 **residential address, including any address in a city, town, village, or unincorporated**  
38 **community.**

39           **6. Each section of the petition when submitted to the election authority shall have**  
40 **attached to it an affidavit signed by the person circulating such section setting forth all of**  
41 **the following:**

42           **(1) The printed name of the affiant;**

43           **(2) The residential address of the affiant;**

44           **(3) That the affiant circulated that section and saw the appended signatures be**  
45 **written;**

46           **(4) That according to the best information and belief of the affiant, each signature**  
47 **is the genuine signature of the person whose name it purports to be;**

48           **(5) That the affiant is a registered voter of the election district of the board member**  
49 **sought to be recalled; and**

50           **(6) The dates between which all the signatures to the petition were obtained.**

51           **7. A recall petition shall be filed with the election authority not more than one**  
52 **hundred eighty days after the filing of the notice of intention.**

53           **8. The number of qualified signatures required in order to recall a board member**  
54 **shall be equal in number to at least twenty-five percent of the number of voters who voted**  
55 **in the most recent gubernatorial election in such election district.**

56           **9. Within twenty days from the filing of the recall petition the election authority**  
57 **shall determine whether the petition was signed by the required number of qualified**  
58 **signatures. The election authority shall file with the petition a certificate showing the**  
59 **results of the examination. The election authority shall give the proponents a copy of the**  
60 **certificate upon their request.**

61           **10. If the election authority certifies the petition to be insufficient, it may be**  
62 **supplemented within ten days of the date of certification by filing additional petition**  
63 **sections containing all of the information required by this section. Within ten days after**  
64 **the supplemental copies are filed, the election authority shall file with them a certificate**  
65 **stating whether or not the petition as supplemented is sufficient.**

66           **11. If the certificate shows that the petition as supplemented is insufficient, no**  
67 **action shall be taken on it; however, the petition shall remain on file.**

68           **12. If the election authority finds the signatures on the petition, together with the**  
69 **supplementary petition sections, if any, to be sufficient, it shall submit its certificate as to**  
70 **the sufficiency of the petition to the emergency services board prior to its next meeting.**  
71 **The certificate shall contain:**

- 72           **(1) The name of the member whose recall is sought;**  
73           **(2) The number of signatures required by law;**  
74           **(3) The total number of signatures on the petition; and**  
75           **(4) The number of valid signatures on the petition.**

76           **13. Following the emergency services board's receipt of the certificate, the election**  
77 **authority shall order an election to be held on one of the election days specified in section**  
78 **115.123. The election shall be held not less than forty-five days but not more than one**  
79 **hundred twenty days from the date the emergency services board receives the petition.**  
80 **Nominations for board membership openings under this section shall be made by filing a**  
81 **statement of candidacy with the election authority.**

82           **14. At any time prior to forty-two days before the election, the member sought to**  
83 **be recalled may offer his or her resignation. If his or her resignation is offered, the recall**  
84 **question shall be removed from the ballot and the office declared vacant. The member**  
85 **who resigned shall not fill the vacancy, which shall be filled as otherwise provided by law.**

86           **15. The provisions of chapter 115 governing the conduct of elections shall apply,**  
87 **where appropriate, to recall elections held under this section. The costs of the election shall**  
88 **be paid as provided in chapter 115.**

          287.243. 1. This section shall be known and may be cited as the "Line of Duty  
2 Compensation Act".

3           2. As used in this section, unless otherwise provided, the following words shall mean:

4           (1) "Air ambulance pilot", a person certified as an air ambulance pilot in accordance with  
5 sections 190.001 to 190.245 and corresponding regulations applicable to air ambulances adopted  
6 by the department of health and senior services, division of regulation and licensure, 19 CSR  
7 30-40.005, et seq.;

8           (2) "Air ambulance registered professional nurse", a person licensed as a registered  
9 professional nurse in accordance with sections 335.011 to 335.096 and corresponding regulations  
10 adopted by the state board of nursing, 20 CSR 2200-4, et seq., who provides registered  
11 professional nursing services as a flight nurse in conjunction with an air ambulance program that  
12 is certified in accordance with sections 190.001 to 190.245 and the corresponding regulations  
13 applicable to such programs;

14           (3) "Emergency medical technician", a person licensed in emergency medical care in  
15 accordance with standards prescribed by sections 190.001 to 190.245 and by rules adopted by  
16 the department of health and senior services under sections 190.001 to 190.245;

17           (4) "Firefighter", any person, including a volunteer firefighter, employed by the state or  
18 a local governmental entity as an employer defined under subsection 1 of section 287.030, or

19 otherwise serving as a member or officer of a fire department either for the purpose of the  
20 prevention or control of fire or the underwater recovery of drowning victims;

21 (5) "Killed in the line of duty", when [a] **any** person defined in this section loses [one's]  
22 **his or her** life [as a result of an injury received in the active performance of his or her duties  
23 within the ordinary scope of his or her respective profession while the individual is on duty and  
24 but for the individual's performance, death would have not occurred] **when:**

25 (a) **Death is caused by an accident or the willful act of violence of another;**

26 (b) **The law enforcement officer, emergency medical technician, air ambulance**  
27 **pilot, air ambulance registered professional nurse, or firefighter is in the active**  
28 **performance of his or her duties in his or her respective profession and there is a**  
29 **relationship between the accident or commission of the act of violence and the performance**  
30 **of the duty, even if the individual is off duty; the law enforcement officer, emergency**  
31 **medical technician, air ambulance pilot, air ambulance registered professional nurse, or**  
32 **firefighter is traveling to or from employment; or the law enforcement officer, emergency**  
33 **medical technician, air ambulance pilot, air ambulance registered professional nurse, or**  
34 **firefighter is taking any meal break or other break which takes place while that individual**  
35 **is on duty;**

36 (c) **Death is the natural and probable consequence of the injury; and**

37 (d) **Death occurs within three hundred weeks from the date the injury was received.**

38 The term excludes death resulting from the willful misconduct or intoxication of the law  
39 enforcement officer, emergency medical technician, air ambulance pilot, air ambulance  
40 registered professional nurse, or firefighter. The division of workers' compensation shall have  
41 the burden of proving such willful misconduct or intoxication;

42 (6) "Law enforcement officer", any person employed by the state or a local governmental  
43 entity as a police officer, peace officer certified under chapter 590, or serving as an auxiliary  
44 police officer or in some like position involving the enforcement of the law and protection of the  
45 public interest at the risk of that person's life;

46 (7) "Local governmental entity", includes counties, municipalities, townships, board or  
47 other political subdivision, cities under special charter, or under the commission form of  
48 government, fire protection districts, ambulance districts, and municipal corporations;

49 (8) "State", the state of Missouri and its departments, divisions, boards, bureaus,  
50 commissions, authorities, and colleges and universities;

51 (9) "Volunteer firefighter", a person having principal employment other than as a  
52 firefighter, but who is carried on the rolls of a regularly constituted fire department either for the  
53 purpose of the prevention or control of fire or the underwater recovery of drowning victims, the  
54 members of which are under the jurisdiction of the corporate authorities of a city, village,

55 incorporated town, or fire protection district. Volunteer firefighter shall not mean an individual  
56 who volunteers assistance without being regularly enrolled as a firefighter.

57 3. (1) A claim for compensation under this section shall be filed by the estate of the  
58 deceased with the division of workers' compensation not later than one year from the date of  
59 death of a law enforcement officer, emergency medical technician, air ambulance pilot, air  
60 ambulance registered professional nurse, or firefighter. If a claim is made within one year of the  
61 date of death of a law enforcement officer, emergency medical technician, air ambulance pilot,  
62 air ambulance registered professional nurse, or firefighter killed in the line of duty, compensation  
63 shall be paid, if the division finds that the claimant is entitled to compensation under this section.

64 (2) The amount of compensation paid to the claimant shall be twenty-five thousand  
65 dollars, subject to appropriation, for death occurring on or after June 19, 2009.

66 4. Notwithstanding subsection 3 of this section, no compensation is payable under this  
67 section unless a claim is filed within the time specified under this section setting forth:

68 (1) The name, address, and title or designation of the position in which the law  
69 enforcement officer, emergency medical technician, air ambulance pilot, air ambulance  
70 registered professional nurse, or firefighter was serving at the time of his or her death;

71 (2) The name and address of the claimant;

72 (3) A full, factual account of the circumstances resulting in or the course of events  
73 causing the death at issue; and

74 (4) Such other information that is reasonably required by the division.

75 When a claim is filed, the division of workers' compensation shall make an investigation for  
76 substantiation of matters set forth in the application.

77 5. The compensation provided for under this section is in addition to, and not exclusive  
78 of, any pension rights, death benefits, or other compensation the claimant may otherwise be  
79 entitled to by law.

80 6. Neither employers nor workers' compensation insurers shall have subrogation rights  
81 against any compensation awarded for claims under this section. Such compensation shall not  
82 be assignable, shall be exempt from attachment, garnishment, and execution, and shall not be  
83 subject to setoff or counterclaim, or be in any way liable for any debt, except that the division  
84 or commission may allow as lien on the compensation, reasonable attorney's fees for services in  
85 connection with the proceedings for compensation if the services are found to be necessary.  
86 Such fees are subject to regulation as set forth in section 287.260.

87 7. Any person seeking compensation under this section who is aggrieved by the decision  
88 of the division of workers' compensation regarding his or her compensation claim, may make  
89 application for a hearing as provided in section 287.450. The procedures applicable to the  
90 processing of such hearings and determinations shall be those established by this chapter.

91 Decisions of the administrative law judge under this section shall be binding, subject to review  
92 by either party under the provisions of section 287.480.

93 8. Pursuant to section 23.253 of the Missouri sunset act:

94 (1) The provisions of the new program authorized under this section shall automatically  
95 sunset six years after June 19, 2009, unless reauthorized by an act of the general assembly; and

96 (2) If such program is reauthorized, the program authorized under this section shall  
97 automatically sunset twelve years after the effective date of the reauthorization of this section;  
98 and

99 (3) This section shall terminate on September first of the calendar year immediately  
100 following the calendar year in which the program authorized under this section is sunset.

101 9. The provisions of this section, unless specified, shall not be subject to other provisions  
102 of this chapter.

103 10. There is hereby created in the state treasury the "Line of Duty Compensation Fund",  
104 which shall consist of moneys appropriated to the fund and any voluntary contributions, gifts,  
105 or bequests to the fund. The state treasurer shall be custodian of the fund and shall approve  
106 disbursements from the fund in accordance with sections 30.170 and 30.180. Upon  
107 appropriation, money in the fund shall be used solely for paying claims under this section.  
108 Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the  
109 fund at the end of the biennium shall not revert to the credit of the general revenue fund. The  
110 state treasurer shall invest moneys in the fund in the same manner as other funds are invested.  
111 Any interest and moneys earned on such investments shall be credited to the fund.

112 11. The division shall promulgate rules to administer this section, including but not  
113 limited to the appointment of claims to multiple claimants, record retention, and procedures for  
114 information requests. Any rule or portion of a rule, as that term is defined in section 536.010,  
115 that is created under the authority delegated in this section shall become effective only if it  
116 complies with and is subject to all of the provisions of chapter 536 and, if applicable, section  
117 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the  
118 general assembly under chapter 536 to review, to delay the effective date, or to disapprove and  
119 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and  
120 any rule proposed or adopted after June 19, 2009, shall be invalid and void.

**304.055. Any privately owned company that is operating under contract with a  
2 school district to transport school children and owns a school bus licensed in another state  
3 must notify the appropriate school district of the use of the school bus prior to the  
4 utilization of the school bus to transport school children.**

**304.065. All school buses privately owned and operated under contract with any school district in this state shall have operational two-way voice communication services on board prior to the utilization of the school bus to transport school children.**

307.375. 1. The owner of every bus used to transport children to or from school in addition to any other inspection required by law shall submit the vehicle to an official inspection station, and obtain a certificate of inspection, sticker, seal or other device annually, but the inspection of the vehicle shall not be made more than sixty days prior to operating the vehicle during the school year. **No privately owned school bus company licensed in this state to conduct vehicle safety inspections or emissions tests shall inspect school buses owned by the company for the purposes of complying with this section.** The inspection shall, in addition to the inspection of the mechanism and equipment required for all motor vehicles under the provisions of sections 307.350 to 307.390, include an inspection to ascertain that the following items are correctly fitted, adjusted, and in good working condition:

- (1) All mirrors, including crossview, inside, and outside;
- (2) The front and rear warning flashers;
- (3) The stop signal arm;
- (4) The crossing control arm on public school buses required to have them pursuant to section 304.050;
- (5) The rear bumper to determine that it is flush with the bus so that hitching of rides cannot occur;
- (6) The exhaust tailpipe shall be flush with or may extend not more than two inches beyond the perimeter of the body or bumper;
- (7) The emergency doors and exits to determine them to be unlocked and easily opened as required;
- (8) The lettering and signing on the front, side and rear of the bus;
- (9) The service door;
- (10) The step treads;
- (11) The aisle mats or aisle runners;
- (12) The emergency equipment which shall include as a minimum a first aid kit, flares or fuses, and a fire extinguisher;
- (13) The seats, including a determination that they are securely fastened to the floor;
- (14) The emergency door buzzer;
- (15) All hand hold grips;
- (16) The interior glazing of the bus;
- (17) **Two-way voice communication services, if required by section 304.065.**

33           2. In addition to the inspection required by subsection 1 of this section, the Missouri state  
34 highway patrol shall conduct an inspection after February first of each school year of all vehicles  
35 required to be marked as school buses under section 304.050. This inspection shall be conducted  
36 by the Missouri highway patrol in cooperation with the department of elementary and secondary  
37 education and shall include, as a minimum, items in subsection 1 of this section and the  
38 following:

- 39           (1) The driver seat belts;
- 40           (2) The heating and defrosting systems;
- 41           (3) The reflectors;
- 42           (4) The bus steps;
- 43           (5) The aisles;
- 44           (6) The frame.

45           3. If, upon inspection, conditions which violate the standards in subsection 2 of this  
46 section are found, the owner or operator shall have them corrected in ten days and notify the  
47 superintendent of the Missouri state highway patrol or those persons authorized by the  
48 superintendent. If the defects or unsafe conditions found constitute an immediate danger, the bus  
49 shall not be used until corrections are made and the superintendent of the Missouri state highway  
50 patrol or those persons authorized by the superintendent are notified.

51           4. The Missouri highway patrol may inspect any school bus at any time and if such  
52 inspection reveals a deficiency affecting the safe operation of the bus, the provisions of  
53 subsection 3 of this section shall be applicable.

54           5. **All privately-owned bus companies shall be required to keep and provide upon**  
55 **request all maintenance and inspection records, including requests by drivers for repair**  
56 **services for each bus owned by the company that is operated under contract with any**  
57 **school district in this state. It shall be the responsibility of the school district to maintain**  
58 **the maintenance and inspection records and make them available pursuant to chapter 610.**

59           6. Notwithstanding the provisions of section 307.390 to the contrary, a violation of this  
60 section shall be a class C misdemeanor.

321.130. [1.] A person, to be qualified to serve as a director, shall be a **resident and**  
2 voter of the district **for** at least one year before the election or appointment and be over the age  
3 of twenty-five years[; except as provided in subsections 2 and 3 of this section. The person shall  
4 also be a resident of such fire protection district]. In the event the person is no longer a resident  
5 of the district, the person's office shall be vacated, and the vacancy shall be filled as provided in  
6 section 321.200. Nominations and declarations of candidacy shall be filed at the headquarters  
7 of the fire protection district by paying a [ten dollar] filing fee **equal to the amount of a**

8 **candidate for county office as set forth under section 115.357**, and filing a statement under  
9 oath that such person possesses the required qualifications.

10 [2. In any fire protection district located in more than one county one of which is a first  
11 class county without a charter form of government having a population of more than one hundred  
12 ninety-eight thousand and not adjoining any other first class county or located wholly within a  
13 first class county as described herein, a resident shall have been a resident of the district for more  
14 than one year to be qualified to serve as a director.

15 3. In any fire protection district located in a county of the third or fourth classification,  
16 a person to be qualified to serve as a director shall be over the age of twenty-five years and shall  
17 be a voter of the district for more than one year before the election or appointment, except that  
18 for the first board of directors in such district, a person need only be a voter of the district for one  
19 year before the election or appointment.

20 4. A person desiring to become a candidate for the first board of directors of the  
21 proposed district shall pay the sum of five dollars as a filing fee to the treasurer of the county and  
22 shall file with the election authority a statement under oath that such person possesses all of the  
23 qualifications set out in this chapter for a director of a fire protection district.] Thereafter, such  
24 candidate shall have the candidate's name placed on the ballot as a candidate for director.

321.210. On the first Tuesday in April after the expiration of at least two full calendar  
2 years from the date of the election of the first board of directors, and on the first Tuesday in April  
3 every two years thereafter, an election for members of the board of directors shall be held in the  
4 district. Nominations shall be filed at the headquarters of the fire protection district in which a  
5 majority of the district is located by paying a filing fee up to the amount of a candidate for [state  
6 representative] **county office** as set forth under section 115.357 and filing a statement under oath  
7 that [he] **the candidate** possesses the required qualifications. The candidate receiving the most  
8 votes shall be elected. Any new member of the board shall qualify in the same manner as the  
9 members of the first board qualify.

565.024. 1. A person commits the crime of involuntary manslaughter in the first degree  
2 if he or she:

3 (1) Recklessly causes the death of another person; or

4 (2) While in an intoxicated condition operates a motor vehicle or vessel in this state and,  
5 when so operating, acts with criminal negligence to cause the death of any person; or

6 (3) While in an intoxicated condition operates a motor vehicle or vessel in this state, and,  
7 when so operating, acts with criminal negligence to:

8 (a) Cause the death of any person not a passenger in the vehicle or vessel operated by  
9 the defendant, including the death of an individual that results from the defendant's vehicle

10 leaving a highway, as defined by section 301.010, or the highway's right-of-way; or vessel  
11 leaving the water; or

12 (b) Cause the death of two or more persons; or

13 (c) Cause the death of any person while he or she has a blood alcohol content of at least  
14 eighteen-hundredths of one percent by weight of alcohol in such person's blood; or

15 (4) Operates a motor vehicle in violation of subsection 2 of section 304.022, and when  
16 so operating, acts with criminal negligence to cause the death of any person authorized to operate  
17 an emergency vehicle, as defined in section 304.022, while such person is in the performance of  
18 official duties; **or**

19 (5) Operates a vessel in violation of subsections 1 and 2 of section 306.132, and when  
20 so operating acts with criminal negligence to cause the death of any person authorized to operate  
21 an emergency watercraft, as defined in section 306.132, while such person is in the performance  
22 of official duties; **or**

23 **(6) Unlawfully distributes or delivers any controlled substance to any person and**  
24 **that person's injection, inhalation, or ingestion of the controlled substance causes that**  
25 **person's death.**

26 **2. For purposes of this section, the act of distributing or delivering a controlled**  
27 **substance is the cause of death when the injection, inhalation, or ingestion of the substance**  
28 **is an antecedent but for which the death would not have occurred and the death was not**  
29 **too remote in its occurrence as to have a just bearing on the defendant's liability or too**  
30 **dependent upon conduct of another person which was unrelated to the injection,**  
31 **inhalation, or ingestion of the substance or its effect as to have a just bearing on the**  
32 **defendant's liability.**

33 **3.** Involuntary manslaughter in the first degree under subdivision (1) [or] , (2), **or (6)** of  
34 subsection 1 of this section is a class C felony. Involuntary manslaughter in the first degree  
35 under subdivision (3) of subsection 1 of this section is a class B felony. A second or subsequent  
36 violation of subdivision (3) of subsection 1 of this section is a class A felony. For any violation  
37 of subdivision (3) of subsection 1 of this section, the minimum prison term which the defendant  
38 must serve shall be eighty-five percent of his or her sentence. Any violation of subdivisions (4)  
39 and (5) of subsection 1 of this section is a class B felony.

40 [3.] **4.** A person commits the crime of involuntary manslaughter in the second degree if  
41 he acts with criminal negligence to cause the death of any person.

42 [4.] **5.** Involuntary manslaughter in the second degree is a class D felony.

43 **6. This section shall be known as "Leslie's Law".**

566.135. 1. [Pursuant to a motion filed by the prosecuting attorney or circuit attorney  
2 with notice given to the defense attorney and for good cause shown,] In any criminal case in

3 which a defendant has been charged by the prosecuting attorney's office or circuit attorney's  
4 office with any offense under this chapter or pursuant to section 575.150, 567.020, 565.050,  
5 565.060, 565.070, 565.072, 565.073, 565.074, 565.075, 565.081, 565.082, 565.083, 568.045,  
6 568.050, or 568.060, or paragraph (a), (b), or (c), of subdivision (2) of subsection 1 of section  
7 191.677, **the prosecuting or circuit attorney shall, upon the request of the victim or upon**  
8 **his or her own initiative, with notice given to the defense attorney and for good cause**  
9 **shown, file a motion for court-ordered testing of the defendant for HIV, hepatitis B,**  
10 **hepatitis C, syphilis, gonorrhea, and chlamydia and any follow-up testing determined to**  
11 **be medically necessary. If the court [may] finds that the victim requested the testing or that**  
12 **good cause is shown, the court shall** order that the defendant be conveyed to a state-, city-, or  
13 county-operated HIV clinic for testing for HIV, hepatitis B, hepatitis C, syphilis, gonorrhea, and  
14 chlamydia **and that the testing occur within forty-eight hours of the date on which the**  
15 **defendant was charged. Pursuant to this same motion the court shall also order any**  
16 **follow-up testing that is requested and determined to be medically necessary.** The results  
17 of the defendant's HIV, hepatitis B, hepatitis C, syphilis, gonorrhea, and chlamydia tests **and the**  
18 **results of any follow-up testing** shall be released to the victim and his or her parent or legal  
19 guardian if the victim is a minor **as soon as practicable.** The results of the defendant's HIV,  
20 hepatitis B, hepatitis C, syphilis, gonorrhea, and chlamydia tests **and the results of any follow-**  
21 **up testing** shall also be released to the prosecuting attorney or circuit attorney and the  
22 defendant's attorney. The state's motion to obtain said testing **and follow-up testing,** the court's  
23 order of the same, and the test results **and follow-up test results** shall be sealed in the court file.

24       **2. All charges for such sexually transmitted disease testing and follow-up testing**  
25 **by the state-, city-, or county-operated HIV clinic shall be billed to and paid by the**  
26 **department of public safety out of appropriations made for that purpose.**

27       **3.** As used in this section, "HIV" means the human immunodeficiency virus that causes  
28 acquired immunodeficiency syndrome.

571.030. 1. A person commits the crime of unlawful use of weapons if he or she  
2 knowingly:

3       (1) Carries concealed upon or about his or her person a knife, a firearm, a blackjack or  
4 any other weapon readily capable of lethal use; or

5       (2) Sets a spring gun; or

6       (3) Discharges or shoots a firearm into a dwelling house, a railroad train, boat, aircraft,  
7 or motor vehicle as defined in section 302.010, or any building or structure used for the  
8 assembling of people; or

9       (4) Exhibits, in the presence of one or more persons, any weapon readily capable of  
10 lethal use in an angry or threatening manner; or

11 (5) Has a firearm or projectile weapon readily capable of lethal use on his or her person,  
12 while he or she is intoxicated, and handles or otherwise uses such firearm or projectile weapon  
13 in either a negligent or unlawful manner or discharges such firearm or projectile weapon unless  
14 acting in self-defense; or

15 (6) Discharges a firearm within one hundred yards of any occupied schoolhouse,  
16 courthouse, or church building; or

17 (7) Discharges or shoots a firearm at a mark, at any object, or at random, on, along or  
18 across a public highway or discharges or shoots a firearm into any outbuilding; or

19 (8) Carries a firearm or any other weapon readily capable of lethal use into any church  
20 or place where people have assembled for worship, or into any election precinct on any election  
21 day, or into any building owned or occupied by any agency of the federal government, state  
22 government, or political subdivision thereof; or

23 (9) Discharges or shoots a firearm at or from a motor vehicle, as defined in section  
24 301.010, discharges or shoots a firearm at any person, or at any other motor vehicle, or at any  
25 building or habitable structure, unless the person was lawfully acting in self-defense; or

26 (10) Carries a firearm, whether loaded or unloaded, or any other weapon readily capable  
27 of lethal use into any school, onto any school bus, or onto the premises of any function or activity  
28 sponsored or sanctioned by school officials or the district school board.

29 2. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to the  
30 persons described in this subsection, regardless of whether such uses are reasonably associated  
31 with or are necessary to the fulfillment of such person's official duties except as otherwise  
32 provided in this subsection. Subdivisions (3), (4), (6), (7), and (9) of subsection 1 of this section  
33 shall not apply to or affect any of the following persons, when such uses are reasonably  
34 associated with or are necessary to the fulfillment of such person's official duties, except as  
35 otherwise provided in this subsection:

36 (1) All state, county and municipal peace officers who have completed the training  
37 required by the police officer standards and training commission pursuant to sections 590.030  
38 to 590.050 and who possess the duty and power of arrest for violation of the general criminal  
39 laws of the state or for violation of ordinances of counties or municipalities of the state, whether  
40 such officers are on or off duty, and whether such officers are within or outside of the law  
41 enforcement agency's jurisdiction, or all qualified retired peace officers, as defined in subsection  
42 11 of this section, and who carry the identification defined in subsection 12 of this section, or  
43 any person summoned by such officers to assist in making arrests or preserving the peace while  
44 actually engaged in assisting such officer;

45 (2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other  
46 institutions for the detention of persons accused or convicted of crime;

47 (3) Members of the Armed Forces or National Guard while performing their official  
48 duty;

49 (4) Those persons vested by article V, section 1 of the Constitution of Missouri with the  
50 judicial power of the state and those persons vested by Article III of the Constitution of the  
51 United States with the judicial power of the United States, the members of the federal judiciary;

52 (5) Any person whose bona fide duty is to execute process, civil or criminal;

53 (6) Any federal probation officer or federal flight deck officer as defined under the  
54 federal flight deck officer program, 49 U.S.C. Section 44921 regardless of whether such officers  
55 are on duty, or within the law enforcement agency's jurisdiction;

56 (7) Any state probation or parole officer, including supervisors and members of the  
57 board of probation and parole;

58 (8) Any corporate security advisor meeting the definition and fulfilling the requirements  
59 of the regulations established by the [board of police commissioners under section 84.340]  
60 **department of public safety under section 590.750.**

61 (9) Any coroner, deputy coroner, medical examiner, or assistant medical examiner;

62 (10) Any prosecuting attorney or assistant prosecuting attorney or any circuit attorney  
63 or assistant circuit attorney who has completed the firearms safety training course required under  
64 subsection 2 of section 571.111;

65 (11) Any member of a fire department or fire protection district who is employed on a  
66 full-time basis as a fire investigator and who has a valid concealed carry endorsement issued  
67 prior to August 28, 2013, or a valid concealed carry permit under section 571.111 when such  
68 uses are reasonably associated with or are necessary to the fulfillment of such person's official  
69 duties; and

70 (12) Upon the written approval of the governing body of a fire department or fire  
71 protection district, any paid fire department or fire protection district chief who is employed on  
72 a full-time basis and who has a valid concealed carry endorsement, when such uses are  
73 reasonably associated with or are necessary to the fulfillment of such person's official duties.

74 3. Subdivisions (1), (5), (8), and (10) of subsection 1 of this section do not apply when  
75 the actor is transporting such weapons in a nonfunctioning state or in an unloaded state when  
76 ammunition is not readily accessible or when such weapons are not readily accessible.  
77 Subdivision (1) of subsection 1 of this section does not apply to any person twenty-one years of  
78 age or older or eighteen years of age or older and a member of the United States Armed Forces,  
79 or honorably discharged from the United States Armed Forces, transporting a concealable  
80 firearm in the passenger compartment of a motor vehicle, so long as such concealable firearm  
81 is otherwise lawfully possessed, nor when the actor is also in possession of an exposed firearm  
82 or projectile weapon for the lawful pursuit of game, or is in his or her dwelling unit or upon

83 premises over which the actor has possession, authority or control, or is traveling in a continuous  
84 journey peaceably through this state. Subdivision (10) of subsection 1 of this section does not  
85 apply if the firearm is otherwise lawfully possessed by a person while traversing school premises  
86 for the purposes of transporting a student to or from school, or possessed by an adult for the  
87 purposes of facilitation of a school-sanctioned firearm-related event or club event.

88 4. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to any  
89 person who has a valid concealed carry permit issued pursuant to sections 571.101 to 571.121,  
90 a valid concealed carry endorsement issued before August 28, 2013, or a valid permit or  
91 endorsement to carry concealed firearms issued by another state or political subdivision of  
92 another state.

93 5. Subdivisions (3), (4), (5), (6), (7), (8), (9), and (10) of subsection 1 of this section shall  
94 not apply to persons who are engaged in a lawful act of defense pursuant to section 563.031.

95 6. Notwithstanding any provision of this section to the contrary, the state shall not  
96 prohibit any state employee from having a firearm in the employee's vehicle on the state's  
97 property provided that the vehicle is locked and the firearm is not visible. This subsection shall  
98 only apply to the state as an employer when the state employee's vehicle is on property owned  
99 or leased by the state and the state employee is conducting activities within the scope of his or  
100 her employment. For the purposes of this subsection, "state employee" means an employee of  
101 the executive, legislative, or judicial branch of the government of the state of Missouri.

102 7. Nothing in this section shall make it unlawful for a student to actually participate in  
103 school-sanctioned gun safety courses, student military or ROTC courses, or other school-  
104 sponsored or club-sponsored firearm-related events, provided the student does not carry a firearm  
105 or other weapon readily capable of lethal use into any school, onto any school bus, or onto the  
106 premises of any other function or activity sponsored or sanctioned by school officials or the  
107 district school board.

108 8. Unlawful use of weapons is a class D felony unless committed pursuant to subdivision  
109 (6), (7), or (8) of subsection 1 of this section, in which cases it is a class B misdemeanor, or  
110 subdivision (5) or (10) of subsection 1 of this section, in which case it is a class A misdemeanor  
111 if the firearm is unloaded and a class D felony if the firearm is loaded, or subdivision (9) of  
112 subsection 1 of this section, in which case it is a class B felony, except that if the violation of  
113 subdivision (9) of subsection 1 of this section results in injury or death to another person, it is  
114 a class A felony.

115 9. Violations of subdivision (9) of subsection 1 of this section shall be punished as  
116 follows:

117 (1) For the first violation a person shall be sentenced to the maximum authorized term  
118 of imprisonment for a class B felony;

119 (2) For any violation by a prior offender as defined in section 558.016, a person shall be  
120 sentenced to the maximum authorized term of imprisonment for a class B felony without the  
121 possibility of parole, probation or conditional release for a term of ten years;

122 (3) For any violation by a persistent offender as defined in section 558.016, a person  
123 shall be sentenced to the maximum authorized term of imprisonment for a class B felony without  
124 the possibility of parole, probation, or conditional release;

125 (4) For any violation which results in injury or death to another person, a person shall  
126 be sentenced to an authorized disposition for a class A felony.

127 10. Any person knowingly aiding or abetting any other person in the violation of  
128 subdivision (9) of subsection 1 of this section shall be subject to the same penalty as that  
129 prescribed by this section for violations by other persons.

130 11. Notwithstanding any other provision of law, no person who pleads guilty to or is  
131 found guilty of a felony violation of subsection 1 of this section shall receive a suspended  
132 imposition of sentence if such person has previously received a suspended imposition of sentence  
133 for any other firearms- or weapons-related felony offense.

134 12. As used in this section "qualified retired peace officer" means an individual who:

135 (1) Retired in good standing from service with a public agency as a peace officer, other  
136 than for reasons of mental instability;

137 (2) Before such retirement, was authorized by law to engage in or supervise the  
138 prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any  
139 violation of law, and had statutory powers of arrest;

140 (3) Before such retirement, was regularly employed as a peace officer for an aggregate  
141 of fifteen years or more, or retired from service with such agency, after completing any  
142 applicable probationary period of such service, due to a service-connected disability, as  
143 determined by such agency;

144 (4) Has a nonforfeitable right to benefits under the retirement plan of the agency if such  
145 a plan is available;

146 (5) During the most recent twelve-month period, has met, at the expense of the  
147 individual, the standards for training and qualification for active peace officers to carry firearms;

148 (6) Is not under the influence of alcohol or another intoxicating or hallucinatory drug or  
149 substance; and

150 (7) Is not prohibited by federal law from receiving a firearm.

151 13. The identification required by subdivision (1) of subsection 2 of this section is:

152 (1) A photographic identification issued by the agency from which the individual retired  
153 from service as a peace officer that indicates that the individual has, not less recently than one  
154 year before the date the individual is carrying the concealed firearm, been tested or otherwise

155 found by the agency to meet the standards established by the agency for training and qualification  
156 for active peace officers to carry a firearm of the same type as the concealed firearm; or

157 (2) A photographic identification issued by the agency from which the individual retired  
158 from service as a peace officer; and

159 (3) A certification issued by the state in which the individual resides that indicates that  
160 the individual has, not less recently than one year before the date the individual is carrying the  
161 concealed firearm, been tested or otherwise found by the state to meet the standards established  
162 by the state for training and qualification for active peace officers to carry a firearm of the same  
163 type as the concealed firearm.

**590.750. 1. The department of public safety shall have the sole authority to regulate  
2 and license all corporate security advisors. The authority and jurisdiction of a corporate  
3 security advisor shall be limited only by the geographical limits of the state, unless the  
4 corporate security advisor's license is recognized by the laws or regulations of another state  
5 or the federal government.**

**6 2. Acting as a corporate security advisor without a license from the department of  
7 public safety is a class A misdemeanor.**

**8 3. The director may promulgate rules to implement the provisions of this section  
9 under chapter 536 and section 590.190.**

**10 4. Any corporate security advisor licensed as of February 1, 2014 shall not be  
11 required to apply for a new license from the department until the advisor's license expires  
12 or is otherwise revoked.**

**650.345. 1. Beginning January 1, 2016, any telecommunicator authorized to  
2 dispatch emergency medical calls not listed in subsection 1 of section 650.340 shall have  
3 completed twelve hours of training from an entity accredited and certified under section  
4 190.131.**

**5 2. Beginning January 1, 2017, any telecommunicator authorized to dispatch  
6 emergency medical calls not listed in subsection 1 of section 650.340 shall have completed  
7 twenty-four hours of training from an entity accredited and certified under section  
8 190.131. Any telecommunicator that has completed twelve hours of training prior to  
9 January 1, 2017 shall only complete twelve additional hours in order to be in compliance  
10 with this subsection.**

**11 3. Costs associated with the required training under this section shall be paid by  
12 the agency employing the telecommunicator and shall be subject to appropriations.**

**13 4. Any emergency medical response agency as defined in section 190.100 that has  
14 an employee that is not in compliance with the provisions of this section shall not be  
15 allowed to dispatch emergency medical calls and must consolidate this function with**

16 **another agency that provides twenty-four hours of dispatching staffing level coverage**  
17 **seven days a week.**

**701.382. The state fire marshal and the state elevator safety board shall have the**  
2 **authority to inspect and investigate any elevator, as defined in section 701.350, if a serious**  
3 **injury or death has occurred relating to such elevator.**

Section B. Because of the need to allow for grant funding for those deputy sheriffs not  
2 currently eligible and to provide for the regulation and licensure of corporate security advisors,  
3 the repeal and reenactment of sections 57.015, 84.340 and 571.030 and the enactment of section  
4 590.750 of this act is deemed necessary for the immediate preservation of the public health,  
5 welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of  
6 the constitution, and the repeal and reenactment of sections 57.015, 84.340 and 571.030 and the  
7 enactment of section 590.750 of this act shall be in full force and effect upon its passage and  
8 approval.

✓