

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 301
102ND GENERAL ASSEMBLY

0695H.02C

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 56.110, 208.151, 301.3175, 558.019, 571.030, 571.070, and 590.060, RSMo, and to enact in lieu thereof twelve 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 56.110, 208.151, 301.3175, 558.019, 571.030, 571.070, and
2 590.060, RSMo, are repealed and twelve new sections enacted in lieu thereof, to be known as
3 sections 56.110, 56.601, 208.151, 217.830, 301.3175, 544.453, 558.019, 571.030, 571.070,
4 590.060, 590.1070, and 590.1075, to read as follows:

56.110. **1. There is hereby created the "Missouri Special Prosecutor
2 Appointment Committee", whose members shall be elected by a secret ballot vote of
3 the prosecuting and circuit attorneys of the state.**

4 2. The committee shall be composed of the following five members:

5 (1) The executive director of the Missouri office of prosecution services;

6 (2) One prosecuting attorney from a county of the first classification;

**7 (3) One prosecuting attorney from a county of the second or fourth
8 classification; and**

**9 (4) Two prosecuting attorneys each from a county of the third classification, at
10 least one of whom shall be a part-time prosecuting attorney.**

**11 3. If the prosecuting attorney and assistant prosecuting attorney be interested or shall
12 have been employed as counsel in any case where such employment is inconsistent with the
13 duties of his or her office, or shall be related to the defendant or defense counsel in any
14 criminal prosecution, either by blood or by marriage, the ~~court having criminal jurisdiction~~
15 ~~may~~ **Missouri special prosecutor appointment committee shall** appoint some other**

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.

16 attorney to prosecute or defend the cause. Such special prosecutor shall not otherwise
17 represent a party other than the state of Missouri in any criminal case or proceeding in that
18 circuit for the duration of that appointment and shall be considered an appointed prosecutor
19 for purposes of section 56.360.

**56.601. 1. If the number of occurrences of homicide cases that have not been
2 filed, declined, or adjudicated in the twelve months immediately preceding exceeds a
3 rate of thirty-five cases per every one hundred thousand people within the circuit or
4 prosecuting attorney's jurisdiction and, after reviewing federal, state, or local crime
5 statistics, the governor determines that a threat to public safety and health exists in the
6 jurisdiction, the governor may submit a request to the Missouri special prosecutor
7 appointment committee, established under section 56.110, to select an attorney to serve
8 as special prosecutor and to provide the name of the attorney to the governor within
9 thirty days of receiving the request from the governor. The governor shall timely
10 appoint the special prosecutor, who shall serve for a period of up to five years. If the
11 committee does not provide the governor with the name of an attorney to serve as
12 special prosecutor within thirty days, the governor shall himself or herself select an
13 attorney to appoint as special prosecutor. The special prosecutor shall be employed at
14 will, shall not be required to reside in the jurisdiction to which he or she was appointed
15 to serve, and shall be an attorney.**

16 **2. (1) The special prosecutor shall have exclusive jurisdiction to initiate and
17 prosecute the following felony offenses if a firearm is used in the commission of such
18 offenses:**

- 19 (a) **First degree murder under section 565.020;**
- 20 (b) **Second degree murder under section 565.021;**
- 21 (c) **Assault in the first degree under section 565.050;**
- 22 (d) **Assault in the second degree under section 565.052;**
- 23 (e) **Robbery in the first degree under section 570.023;**
- 24 (f) **Robbery in the second degree under section 570.025; and**
- 25 (g) **Vehicle hijacking under section 570.027.**

26 **(2) For felony offenses listed under subdivision (1) of this subsection, the special
27 prosecutor shall have all powers, duties, and responsibilities granted to the circuit or
28 prosecuting attorney in the jurisdiction under sections 56.087, 56.130, and 56.360. If an
29 offense leads to criminal charges for which the special prosecutor has exclusive
30 jurisdiction, the special prosecutor shall also have exclusive jurisdiction over all other
31 charges stemming from the same criminal event. After the special prosecutor has filed
32 criminal charges in a case over which he or she has exclusive jurisdiction, the special**

33 **prosecutor shall continue to have exclusive jurisdiction over the entire criminal case**
34 **regardless of whether the charges are later reduced.**

35 **3. (1) Moneys for the special prosecutor shall be provided by the state from the**
36 **general revenue fund. The special prosecutor shall be paid the same salary as a state**
37 **circuit court judge and, upon his or her appointment, shall become a member of the**
38 **prosecuting attorneys and circuit attorneys' retirement system as set forth under**
39 **sections 56.800 to 56.840.**

40 **(2) The special prosecutor shall have a budget, which shall be provided by the**
41 **state from the general revenue fund, to hire up to fifteen assistant special prosecuting**
42 **attorneys and up to fifteen staff members including, but not limited to, assistants, clerks,**
43 **reporters, grand jury reporters, legal investigators, and stenographers, as the special**
44 **prosecutor deems necessary. The assistant special prosecuting attorneys and staff of the**
45 **special prosecutor shall be subject to the same duties and responsibilities as those in the**
46 **circuit or prosecuting attorney's office. The salaries of all employees hired by the**
47 **special prosecutor shall be set and determined by the special prosecutor but shall be**
48 **within the budget provided by the state.**

49 **(3) If, at the end of the first five-year term of the special prosecutor, the**
50 **governor, after reviewing federal, state, or local crime statistics or the backlog of**
51 **criminal cases in the circuit or prosecuting attorney's office, determines that a threat to**
52 **public safety and health or a backlog in criminal cases in the jurisdiction still exists, the**
53 **governor may continue to appoint the special prosecutor for five-year terms as provided**
54 **under this section.**

208.151. 1. Medical assistance on behalf of needy persons shall be known as "MO
2 HealthNet". For the purpose of paying MO HealthNet benefits and to comply with Title XIX,
3 Public Law 89-97, 1965 amendments to the federal Social Security Act (42 U.S.C. Section
4 301, et seq.) as amended, the following needy persons shall be eligible to receive MO
5 HealthNet benefits to the extent and in the manner hereinafter provided:

6 (1) All participants receiving state supplemental payments for the aged, blind and
7 disabled;

8 (2) All participants receiving aid to families with dependent children benefits,
9 including all persons under nineteen years of age who would be classified as dependent
10 children except for the requirements of subdivision (1) of subsection 1 of section 208.040.
11 Participants eligible under this subdivision who are participating in treatment court, as
12 defined in section 478.001, shall have their eligibility automatically extended sixty days from
13 the time their dependent child is removed from the custody of the participant, subject to
14 approval of the Centers for Medicare and Medicaid Services;

15 (3) All participants receiving blind pension benefits;

16 (4) All persons who would be determined to be eligible for old age assistance
17 benefits, permanent and total disability benefits, or aid to the blind benefits under the
18 eligibility standards in effect December 31, 1973, or less restrictive standards as established
19 by rule of the family support division, who are sixty-five years of age or over and are patients
20 in state institutions for mental diseases or tuberculosis;

21 (5) All persons under the age of twenty-one years who would be eligible for aid to
22 families with dependent children except for the requirements of subdivision (2) of subsection
23 1 of section 208.040, and who are residing in an intermediate care facility, or receiving active
24 treatment as inpatients in psychiatric facilities or programs, as defined in 42 U.S.C. Section
25 1396d, as amended;

26 (6) All persons under the age of twenty-one years who would be eligible for aid to
27 families with dependent children benefits except for the requirement of deprivation of
28 parental support as provided for in subdivision (2) of subsection 1 of section 208.040;

29 (7) All persons eligible to receive nursing care benefits;

30 (8) All participants receiving family foster home or nonprofit private child-care
31 institution care, subsidized adoption benefits and parental school care wherein state funds are
32 used as partial or full payment for such care;

33 (9) All persons who were participants receiving old age assistance benefits, aid to the
34 permanently and totally disabled, or aid to the blind benefits on December 31, 1973, and who
35 continue to meet the eligibility requirements, except income, for these assistance categories,
36 but who are no longer receiving such benefits because of the implementation of Title XVI of
37 the federal Social Security Act, as amended;

38 (10) Pregnant women who meet the requirements for aid to families with dependent
39 children, except for the existence of a dependent child in the home;

40 (11) Pregnant women who meet the requirements for aid to families with dependent
41 children, except for the existence of a dependent child who is deprived of parental support as
42 provided for in subdivision (2) of subsection 1 of section 208.040;

43 (12) Pregnant women or infants under one year of age, or both, whose family income
44 does not exceed an income eligibility standard equal to one hundred eighty-five percent of the
45 federal poverty level as established and amended by the federal Department of Health and
46 Human Services, or its successor agency;

47 (13) Children who have attained one year of age but have not attained six years of age
48 who are eligible for medical assistance under 6401 of P.L. 101-239 (Omnibus Budget
49 Reconciliation Act of 1989) (42 U.S.C. Sections 1396a to 1396b). The family support
50 division shall use an income eligibility standard equal to one hundred thirty-three percent of
51 the federal poverty level established by the Department of Health and Human Services, or its
52 successor agency;

53 (14) Children who have attained six years of age but have not attained nineteen years
54 of age. For children who have attained six years of age but have not attained nineteen years
55 of age, the family support division shall use an income assessment methodology which
56 provides for eligibility when family income is equal to or less than equal to one hundred
57 percent of the federal poverty level established by the Department of Health and Human
58 Services, or its successor agency. As necessary to provide MO HealthNet coverage under this
59 subdivision, the department of social services may revise the state MO HealthNet plan to
60 extend coverage under 42 U.S.C. Section 1396a(a)(10)(A)(i)(III) to children who have
61 attained six years of age but have not attained nineteen years of age as permitted by paragraph
62 (2) of subsection (n) of 42 U.S.C. Section 1396d using a more liberal income assessment
63 methodology as authorized by paragraph (2) of subsection (r) of 42 U.S.C. Section 1396a;

64 (15) The family support division shall not establish a resource eligibility standard in
65 assessing eligibility for persons under subdivision (12), (13) or (14) of this subsection. The
66 MO HealthNet division shall define the amount and scope of benefits which are available to
67 individuals eligible under each of the subdivisions (12), (13), and (14) of this subsection, in
68 accordance with the requirements of federal law and regulations promulgated thereunder;

69 (16) Notwithstanding any other provisions of law to the contrary, ambulatory prenatal
70 care shall be made available to pregnant women during a period of presumptive eligibility
71 pursuant to 42 U.S.C. Section 1396r-1, as amended;

72 (17) A child born to a woman eligible for and receiving MO HealthNet benefits under
73 this section on the date of the child's birth shall be deemed to have applied for MO HealthNet
74 benefits and to have been found eligible for such assistance under such plan on the date of
75 such birth and to remain eligible for such assistance for a period of time determined in
76 accordance with applicable federal and state law and regulations so long as the child is a
77 member of the woman's household and either the woman remains eligible for such assistance
78 or for children born on or after January 1, 1991, the woman would remain eligible for such
79 assistance if she were still pregnant. Upon notification of such child's birth, the family
80 support division shall assign a MO HealthNet eligibility identification number to the child so
81 that claims may be submitted and paid under such child's identification number;

82 (18) Pregnant women and children eligible for MO HealthNet benefits pursuant to
83 subdivision (12), (13) or (14) of this subsection shall not as a condition of eligibility for MO
84 HealthNet benefits be required to apply for aid to families with dependent children. The
85 family support division shall utilize an application for eligibility for such persons which
86 eliminates information requirements other than those necessary to apply for MO HealthNet
87 benefits. The division shall provide such application forms to applicants whose preliminary
88 income information indicates that they are ineligible for aid to families with dependent
89 children. Applicants for MO HealthNet benefits under subdivision (12), (13) or (14) of this

90 subsection shall be informed of the aid to families with dependent children program and that
91 they are entitled to apply for such benefits. Any forms utilized by the family support division
92 for assessing eligibility under this chapter shall be as simple as practicable;

93 (19) Subject to appropriations necessary to recruit and train such staff, the family
94 support division shall provide one or more full-time, permanent eligibility specialists to
95 process applications for MO HealthNet benefits at the site of a health care provider, if the
96 health care provider requests the placement of such eligibility specialists and reimburses the
97 division for the expenses including but not limited to salaries, benefits, travel, training,
98 telephone, supplies, and equipment of such eligibility specialists. The division may provide a
99 health care provider with a part-time or temporary eligibility specialist at the site of a health
100 care provider if the health care provider requests the placement of such an eligibility specialist
101 and reimburses the division for the expenses, including but not limited to the salary, benefits,
102 travel, training, telephone, supplies, and equipment, of such an eligibility specialist. The
103 division may seek to employ such eligibility specialists who are otherwise qualified for such
104 positions and who are current or former welfare participants. The division may consider
105 training such current or former welfare participants as eligibility specialists for this program;

106 (20) Pregnant women who are eligible for, have applied for and have received MO
107 HealthNet benefits under subdivision (2), (10), (11) or (12) of this subsection shall continue
108 to be considered eligible for all pregnancy-related and postpartum MO HealthNet benefits
109 provided under section 208.152 until the end of the sixty-day period beginning on the last day
110 of their pregnancy. Pregnant women receiving mental health treatment for postpartum
111 depression or related mental health conditions within sixty days of giving birth shall, subject
112 to appropriations and any necessary federal approval, be eligible for MO HealthNet benefits
113 for mental health services for the treatment of postpartum depression and related mental
114 health conditions for up to twelve additional months. Pregnant women receiving substance
115 abuse treatment within sixty days of giving birth shall, subject to appropriations and any
116 necessary federal approval, be eligible for MO HealthNet benefits for substance abuse
117 treatment and mental health services for the treatment of substance abuse for no more than
118 twelve additional months, as long as the woman remains adherent with treatment. The
119 department of mental health and the department of social services shall seek any necessary
120 waivers or state plan amendments from the Centers for Medicare and Medicaid Services and
121 shall develop rules relating to treatment plan adherence. No later than fifteen months after
122 receiving any necessary waiver, the department of mental health and the department of social
123 services shall report to the house of representatives budget committee and the senate
124 appropriations committee on the compliance with federal cost neutrality requirements;

125 (21) Case management services for pregnant women and young children at risk shall
126 be a covered service. To the greatest extent possible, and in compliance with federal law and

127 regulations, the department of health and senior services shall provide case management
128 services to pregnant women by contract or agreement with the department of social services
129 through local health departments organized under the provisions of chapter 192 or chapter
130 205 or a city health department operated under a city charter or a combined city-county health
131 department or other department of health and senior services designees. To the greatest extent
132 possible the department of social services and the department of health and senior services
133 shall mutually coordinate all services for pregnant women and children with the crippled
134 children's program, the prevention of intellectual disability and developmental disability
135 program and the prenatal care program administered by the department of health and senior
136 services. The department of social services shall by regulation establish the methodology for
137 reimbursement for case management services provided by the department of health and senior
138 services. For purposes of this section, the term "case management" shall mean those
139 activities of local public health personnel to identify prospective MO HealthNet-eligible high-
140 risk mothers and enroll them in the state's MO HealthNet program, refer them to local
141 physicians or local health departments who provide prenatal care under physician protocol
142 and who participate in the MO HealthNet program for prenatal care and to ensure that said
143 high-risk mothers receive support from all private and public programs for which they are
144 eligible and shall not include involvement in any MO HealthNet prepaid, case-managed
145 programs;

146 (22) By January 1, 1988, the department of social services and the department of
147 health and senior services shall study all significant aspects of presumptive eligibility for
148 pregnant women and submit a joint report on the subject, including projected costs and the
149 time needed for implementation, to the general assembly. The department of social services,
150 at the direction of the general assembly, may implement presumptive eligibility by regulation
151 promulgated pursuant to chapter 207;

152 (23) All participants who would be eligible for aid to families with dependent
153 children benefits except for the requirements of paragraph (d) of subdivision (1) of section
154 208.150;

155 (24) (a) All persons who would be determined to be eligible for old age assistance
156 benefits under the eligibility standards in effect December 31, 1973, as authorized by 42
157 U.S.C. Section 1396a(f), or less restrictive methodologies as contained in the MO HealthNet
158 state plan as of January 1, 2005; except that, on or after July 1, 2005, less restrictive income
159 methodologies, as authorized in 42 U.S.C. Section 1396a(r)(2), may be used to change the
160 income limit if authorized by annual appropriation;

161 (b) All persons who would be determined to be eligible for aid to the blind benefits
162 under the eligibility standards in effect December 31, 1973, as authorized by 42 U.S.C.
163 Section 1396a(f), or less restrictive methodologies as contained in the MO HealthNet state

164 plan as of January 1, 2005, except that less restrictive income methodologies, as authorized in
165 42 U.S.C. Section 1396a(r)(2), shall be used to raise the income limit to one hundred percent
166 of the federal poverty level;

167 (c) All persons who would be determined to be eligible for permanent and total
168 disability benefits under the eligibility standards in effect December 31, 1973, as authorized
169 by 42 U.S.C. Section 1396a(f); or less restrictive methodologies as contained in the MO
170 HealthNet state plan as of January 1, 2005; except that, on or after July 1, 2005, less
171 restrictive income methodologies, as authorized in 42 U.S.C. Section 1396a(r)(2), may be
172 used to change the income limit if authorized by annual appropriations. Eligibility standards
173 for permanent and total disability benefits shall not be limited by age;

174 (25) Persons who have been diagnosed with breast or cervical cancer and who are
175 eligible for coverage pursuant to 42 U.S.C. Section 1396a(a)(10)(A)(ii)(XVIII). Such
176 persons shall be eligible during a period of presumptive eligibility in accordance with 42
177 U.S.C. Section 1396r-1;

178 (26) Persons who are in foster care under the responsibility of the state of Missouri on
179 the date such persons attained the age of eighteen years, or at any time during the thirty-day
180 period preceding their eighteenth birthday, or persons who received foster care for at least six
181 months in another state, are residing in Missouri, and are at least eighteen years of age,
182 without regard to income or assets, if such persons:

183 (a) Are under twenty-six years of age;

184 (b) Are not eligible for coverage under another mandatory coverage group; and

185 (c) Were covered by Medicaid while they were in foster care;

186 (27) Any homeless child or homeless youth, as those terms are defined in section
187 167.020, subject to approval of a state plan amendment by the Centers for Medicare and
188 Medicaid Services; and

189 **(28) Subject to approval of a state plan amendment by the Centers for Medicare**
190 **and Medicaid Services, any person who has been released from a correctional center, as**
191 **defined in section 217.010, within the previous six months and who does not have access**
192 **to health insurance through a job or through a familial or personal relationship.**
193 **Eligibility under this subdivision shall begin on the date of release from the correctional**
194 **center and end six months after such release date, except that the person shall not be**
195 **eligible under this subdivision for any period of time during which the person has access**
196 **to health insurance through a job or through a familial or personal relationship.**

197 2. Rules and regulations to implement this section shall be promulgated in accordance
198 with chapter 536. Any rule or portion of a rule, as that term is defined in section 536.010, that
199 is created under the authority delegated in this section shall become effective only if it
200 complies with and is subject to all of the provisions of chapter 536 and, if applicable, section

201 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with
202 the general assembly pursuant to chapter 536 to review, to delay the effective date or to
203 disapprove and annul a rule are subsequently held unconstitutional, then the grant of
204 rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid
205 and void.

206 3. After December 31, 1973, and before April 1, 1990, any family eligible for
207 assistance pursuant to 42 U.S.C. Section 601, et seq., as amended, in at least three of the last
208 six months immediately preceding the month in which such family became ineligible for such
209 assistance because of increased income from employment shall, while a member of such
210 family is employed, remain eligible for MO HealthNet benefits for four calendar months
211 following the month in which such family would otherwise be determined to be ineligible for
212 such assistance because of income and resource limitation. After April 1, 1990, any family
213 receiving aid pursuant to 42 U.S.C. Section 601, et seq., as amended, in at least three of the
214 six months immediately preceding the month in which such family becomes ineligible for
215 such aid, because of hours of employment or income from employment of the caretaker
216 relative, shall remain eligible for MO HealthNet benefits for six calendar months following
217 the month of such ineligibility as long as such family includes a child as provided in 42
218 U.S.C. Section 1396r-6. Each family which has received such medical assistance during the
219 entire six-month period described in this section and which meets reporting requirements and
220 income tests established by the division and continues to include a child as provided in 42
221 U.S.C. Section 1396r-6 shall receive MO HealthNet benefits without fee for an additional six
222 months. The MO HealthNet division may provide by rule and as authorized by annual
223 appropriation the scope of MO HealthNet coverage to be granted to such families.

224 4. When any individual has been determined to be eligible for MO HealthNet
225 benefits, such medical assistance will be made available to him or her for care and services
226 furnished in or after the third month before the month in which he made application for such
227 assistance if such individual was, or upon application would have been, eligible for such
228 assistance at the time such care and services were furnished; provided, further, that such
229 medical expenses remain unpaid.

230 5. The department of social services may apply to the federal Department of Health
231 and Human Services for a MO HealthNet waiver amendment to the Section 1115
232 demonstration waiver or for any additional MO HealthNet waivers necessary not to exceed
233 one million dollars in additional costs to the state, unless subject to appropriation or directed
234 by statute, but in no event shall such waiver applications or amendments seek to waive the
235 services of a rural health clinic or a federally qualified health center as defined in 42 U.S.C.
236 Section 1396d(l)(1) and (2) or the payment requirements for such clinics and centers as
237 provided in 42 U.S.C. Section 1396a(a)(15) and 1396a(bb) unless such waiver application is

238 approved by the oversight committee created in section 208.955. A request for such a waiver
239 so submitted shall only become effective by executive order not sooner than ninety days after
240 the final adjournment of the session of the general assembly to which it is submitted, unless it
241 is disapproved within sixty days of its submission to a regular session by a senate or house
242 resolution adopted by a majority vote of the respective elected members thereof, unless the
243 request for such a waiver is made subject to appropriation or directed by statute.

244 6. Notwithstanding any other provision of law to the contrary, in any given fiscal
245 year, any persons made eligible for MO HealthNet benefits under subdivisions (1) to (22) of
246 subsection 1 of this section shall only be eligible if annual appropriations are made for such
247 eligibility. This subsection shall not apply to classes of individuals listed in 42 U.S.C. Section
248 1396a(a)(10)(A)(i).

249 7. (1) Notwithstanding any provision of law to the contrary, a military service
250 member, or an immediate family member residing with such military service member, who is
251 a legal resident of this state and is eligible for MO HealthNet developmental disability
252 services, shall have his or her eligibility for MO HealthNet developmental disability services
253 temporarily suspended for any period of time during which such person temporarily resides
254 outside of this state for reasons relating to military service, but shall have his or her eligibility
255 immediately restored upon returning to this state to reside.

256 (2) Notwithstanding any provision of law to the contrary, if a military service
257 member, or an immediate family member residing with such military service member, is not a
258 legal resident of this state, but would otherwise be eligible for MO HealthNet developmental
259 disability services, such individual shall be deemed eligible for MO HealthNet developmental
260 disability services for the duration of any time in which such individual is temporarily present
261 in this state for reasons relating to military service.

**217.830. The department of corrections shall develop a policy and procedures
2 outlining for offenders how to obtain a birth certificate, Social Security card, and state
3 identification prior to release from a correctional center. The policy shall be made
4 available to the offender population. If an offender does not have access to his or her
5 birth certificate, Social Security card, or state identification upon release, the
6 department shall assist such offender in obtaining the documents prior to release.**

301.3175. 1. Any vehicle owner may apply for "Back the Blue" license plates for any
2 motor vehicle the person owns, either solely or jointly, other than an apportioned motor
3 vehicle or a commercial motor vehicle licensed in excess of twenty-four thousand pounds
4 gross weight. Upon making a ten dollar contribution to the Missouri Law Enforcement
5 Memorial Foundation, the vehicle owner may apply for the "Back the Blue" plate. If the
6 contribution is made directly to the Missouri Law Enforcement Memorial Foundation, the
7 foundation shall issue the individual making the contribution a receipt, verifying the

8 contribution, that may be used to apply for the "Back the Blue" license plate. If the
9 contribution is made directly to the director of revenue pursuant to section 301.3031, the
10 director shall note the contribution and the owner may then apply for the "Back the Blue"
11 plate. The applicant for such plate shall pay a fifteen dollar fee in addition to the regular
12 registration fees and present any other documentation required by law for each set of "Back
13 the Blue" plates issued pursuant to this section. Notwithstanding the provisions of section
14 301.144, no additional fee shall be charged for the personalization of license plates issued
15 pursuant to this section. **Notwithstanding any provision of law to the contrary, the**
16 **department of revenue shall issue the license plate or plates, as authorized in this**
17 **section, for nonapportioned vehicles of any classification for which it issues a license**
18 **plate or plates.**

19 2. The "Back the Blue" plate shall bear the emblem of a thin blue line encompassed in
20 black as prescribed by the director of revenue and shall have the words "BACK THE BLUE".
21 Such license plates shall be made with fully reflective material with a common color scheme
22 and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed
23 by section 301.130.

24 ~~[2-]~~ 3. The director of revenue may promulgate rules and regulations for the
25 administration of this section. Any rule or portion of a rule, as that term is defined in section
26 536.010, that is created under the authority delegated in this section shall become effective
27 only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable,
28 section 536.028. This section and chapter 536 are nonseverable and if any of the powers
29 vested with the general assembly pursuant to chapter 536 to review, to delay the effective
30 date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant
31 of rulemaking authority and any rule proposed or adopted after August 28, 2019, shall be
32 invalid and void.

544.453. Notwithstanding any provision of the law or court rule to the contrary,
2 **a judge or judicial officer, when setting bail or conditions of release in all courts in**
3 **Missouri for any offense charged, shall consider, in addition to any factor required by**
4 **law, whether:**

5 (1) **A defendant poses a danger to a victim of a crime, the community, any**
6 **witness to the crime, or to any other person;**

7 (2) **A defendant is a flight risk;**

8 (3) **A defendant has committed a violent misdemeanor offense, sexual offense, or**
9 **felony offense in this state or any other state in the last five years; and**

10 (4) **A defendant has failed to appear in court as a required condition of**
11 **probation or parole for a violent misdemeanor or felony or a sexual offense within the**
12 **last three years.**

558.019. 1. This section shall not be construed to affect the powers of the governor under Article IV, Section 7, of the Missouri Constitution. This statute shall not affect those provisions of section 565.020, section 566.125, or section 571.015, which set minimum terms of sentences, or the provisions of section 559.115, relating to probation.

2. The provisions of subsections 2 to 5 of this section shall ~~only~~ be applicable to ~~the offenses contained in sections 565.021, 565.023, 565.024, 565.027, 565.050, 565.052, 565.054, 565.072, 565.073, 565.074, 565.090, 565.110, 565.115, 565.120, 565.153, 565.156, 565.225, 565.300, 566.030, 566.031, 566.032, 566.034, 566.060, 566.061, 566.062, 566.064, 566.067, 566.068, 566.069, 566.071, 566.083, 566.086, 566.100, 566.101, 566.103, 566.111, 566.115, 566.145, 566.151, 566.153, 566.203, 566.206, 566.209, 566.210, 566.211, 566.215, 568.030, 568.045, 568.060, 568.065, 568.175, 569.040, 569.160, 570.023, 570.025, 570.030 when punished as a class A, B, or C felony, 570.145 when punished as a class A or B felony, 570.223 when punished as a class B or C felony, 571.020, 571.030, 571.070, 573.023, 573.025, 573.035, 573.037, 573.200, 573.205, 574.070, 574.080, 574.115, 575.030, 575.150, 575.153, 575.155, 575.157, 575.200 when punished as a class A felony, 575.210, 575.230 when punished as a class B felony, 575.240 when punished as a class B felony, 576.070, 576.080, 577.010, 577.013, 577.078, 577.703, 577.706, 579.065, and 579.068 when punished as a class A or B felony] **all classes of felonies except those set forth in chapter 579, or in chapter 195 prior to January 1, 2017, and those otherwise excluded in subsection 1 of this section.** For the purposes of this section, "prison commitment" means and is the receipt by the department of corrections of an offender after sentencing. For purposes of this section, prior prison commitments to the department of corrections shall not include an offender's first incarceration prior to release on probation under section 217.362 or 559.115. Other provisions of the law to the contrary notwithstanding, any offender who has been found guilty of a felony other than a dangerous felony as defined in section 556.061 and is committed to the department of corrections shall be required to serve the following minimum prison terms:~~

(1) If the offender has one previous prison commitment to the department of corrections for a felony offense, the minimum prison term which the offender must serve shall be forty percent of his or her sentence or until the offender attains seventy years of age, and has served at least thirty percent of the sentence imposed, whichever occurs first;

(2) If the offender has two previous prison commitments to the department of corrections for felonies unrelated to the present offense, the minimum prison term which the offender must serve shall be fifty percent of his or her sentence or until the offender attains seventy years of age, and has served at least forty percent of the sentence imposed, whichever occurs first;

(3) If the offender has three or more previous prison commitments to the department of corrections for felonies unrelated to the present offense, the minimum prison term which

38 the offender must serve shall be eighty percent of his or her sentence or until the offender
39 attains seventy years of age, and has served at least forty percent of the sentence imposed,
40 whichever occurs first.

41 3. Other provisions of the law to the contrary notwithstanding, any offender who has
42 been found guilty of a dangerous felony as defined in section 556.061 and is committed to the
43 department of corrections shall be required to serve a minimum prison term of eighty-five
44 percent of the sentence imposed by the court or until the offender attains seventy years of age,
45 and has served at least forty percent of the sentence imposed, whichever occurs first.

46 4. For the purpose of determining the minimum prison term to be served, the
47 following calculations shall apply:

48 (1) A sentence of life shall be calculated to be thirty years;

49 (2) Any sentence either alone or in the aggregate with other consecutive sentences for
50 offenses committed at or near the same time which is over seventy-five years shall be
51 calculated to be seventy-five years.

52 5. For purposes of this section, the term "minimum prison term" shall mean time
53 required to be served by the offender before he or she is eligible for parole, conditional
54 release or other early release by the department of corrections.

55 6. **(1)** An offender who was convicted of, or pled guilty to, a felony offense other
56 than those offenses listed in subsection 2 of this section prior to August 28, 2019, shall ~~no~~
57 ~~longer~~ be subject to the minimum prison term provisions under subsection 2 of this section,
58 and shall **not** be eligible for parole, conditional release, or other early release by the
59 department of corrections ~~[according to the rules and regulations of the department]~~ **unless**
60 **the offender:**

61 **(a) Has completed the drug treatment program under section 217.632 if the**
62 **offense was drug related;**

63 **(b) Has successfully completed the requirements of subsection 4 of section**
64 **217.355;**

65 **(c) Has completed a job training or educational program provided by the**
66 **department of corrections and would be considered work ready; and**

67 **(d) Passes a drug test before release.**

68 **(2) If the conditions of subdivision (1) of this subsection are met, an offender**
69 **may be eligible for parole after serving eighty-five percent of his or her sentence.**

70 **(3) Notwithstanding any other provision of law, on or after August 28, 2023, no**
71 **individual convicted of a sexually violent crime, as defined in section 632.480, or an**
72 **offense under chapter 566 shall be eligible for probation or parole and shall serve one**
73 **hundred percent of any sentence imposed.**

74 **(4) No provision of this subsection shall be construed to prevent an individual**
75 **convicted of an offense listed in subsection 1 or 2 of this section from earning credits**
76 **through the department of corrections while incarcerated for the purpose of increased**
77 **privileges, reduction in security classification, or for any purpose other than for the**
78 **reduction of the sentence imposed.**

79 7. (1) A sentencing advisory commission is hereby created to consist of eleven
80 members. One member shall be appointed by the speaker of the house. One member shall be
81 appointed by the president pro tem of the senate. One member shall be the director of the
82 department of corrections. Six members shall be appointed by and serve at the pleasure of the
83 governor from among the following: the public defender commission; private citizens; a
84 private member of the Missouri Bar; the board of probation and parole; and a prosecutor.
85 Two members shall be appointed by the supreme court, one from a metropolitan area and one
86 from a rural area. All members shall be appointed to a four-year term. All members of the
87 sentencing commission appointed prior to August 28, 1994, shall continue to serve on the
88 sentencing advisory commission at the pleasure of the governor.

89 (2) The commission shall study sentencing practices in the circuit courts throughout
90 the state for the purpose of determining whether and to what extent disparities exist among
91 the various circuit courts with respect to the length of sentences imposed and the use of
92 probation for offenders convicted of the same or similar offenses and with similar criminal
93 histories. The commission shall also study and examine whether and to what extent
94 sentencing disparity among economic and social classes exists in relation to the sentence of
95 death and if so, the reasons therefor, if sentences are comparable to other states, if the length
96 of the sentence is appropriate, and the rate of rehabilitation based on sentence. It shall
97 compile statistics, examine cases, draw conclusions, and perform other duties relevant to the
98 research and investigation of disparities in death penalty sentencing among economic and
99 social classes.

100 (3) The commission shall study alternative sentences, prison work programs, work
101 release, home-based incarceration, probation and parole options, and any other programs and
102 report the feasibility of these options in Missouri.

103 (4) The governor shall select a chairperson who shall call meetings of the commission
104 as required or permitted pursuant to the purpose of the sentencing commission.

105 (5) The members of the commission shall not receive compensation for their duties
106 on the commission, but shall be reimbursed for actual and necessary expenses incurred in the
107 performance of these duties and for which they are not reimbursed by reason of their other
108 paid positions.

109 (6) The circuit and associate circuit courts of this state, the office of the state courts
110 administrator, the department of public safety, and the department of corrections shall

111 cooperate with the commission by providing information or access to information needed by
112 the commission. The office of the state courts administrator will provide needed staffing
113 resources.

114 8. Courts shall retain discretion to lower or exceed the sentence recommended by the
115 commission as otherwise allowable by law, and to order restorative justice methods, when
116 applicable.

117 9. If the imposition or execution of a sentence is suspended, the court may order any
118 or all of the following restorative justice methods, or any other method that the court finds
119 just or appropriate:

120 (1) Restitution to any victim or a statutorily created fund for costs incurred as a result
121 of the offender's actions;

122 (2) Offender treatment programs;

123 (3) Mandatory community service;

124 (4) Work release programs in local facilities; and

125 (5) Community-based residential and nonresidential programs.

126 10. Pursuant to subdivision (1) of subsection 9 of this section, the court may order the
127 assessment and payment of a designated amount of restitution to a county law enforcement
128 restitution fund established by the county commission pursuant to section 50.565. Such
129 contribution shall not exceed three hundred dollars for any charged offense. Any restitution
130 moneys deposited into the county law enforcement restitution fund pursuant to this section
131 shall only be expended pursuant to the provisions of section 50.565.

132 11. A judge may order payment to a restitution fund only if such fund had been
133 created by ordinance or resolution of a county of the state of Missouri prior to sentencing. A
134 judge shall not have any direct supervisory authority or administrative control over any fund
135 to which the judge is ordering a person to make payment.

136 12. A person who fails to make a payment to a county law enforcement restitution
137 fund may not have his or her probation revoked solely for failing to make such payment
138 unless the judge, after evidentiary hearing, makes a finding supported by a preponderance of
139 the evidence that the person either willfully refused to make the payment or that the person
140 willfully, intentionally, and purposefully failed to make sufficient bona fide efforts to acquire
141 the resources to pay.

142 13. Nothing in this section shall be construed to allow the sentencing advisory
143 commission to issue recommended sentences in specific cases pending in the courts of this
144 state.

571.030. 1. A person commits the offense of unlawful use of weapons, except as
2 otherwise provided by sections 571.101 to 571.121, if he or she knowingly:

3 (1) Carries concealed upon or about his or her person a knife, a firearm, a blackjack
4 or any other weapon readily capable of lethal use into any area where firearms are restricted
5 under section 571.107; or

6 (2) Sets a spring gun; or

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

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

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

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

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

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

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

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

30 (11) Possesses a firearm while also knowingly in possession of a controlled substance
31 that is sufficient for a felony violation of section 579.015.

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

39 (1) All state, county and municipal peace officers who have completed the training
40 required by the police officer standards and training commission pursuant to sections 590.030
41 to 590.050 and who possess the duty and power of arrest for violation of the general criminal
42 laws of the state or for violation of ordinances of counties or municipalities of the state,
43 whether such officers are on or off duty, and whether such officers are within or outside of the
44 law enforcement agency's jurisdiction, or all qualified retired peace officers, as defined in
45 subsection 12 of this section, and who carry the identification defined in subsection 13 of this
46 section, or any person summoned by such officers to assist in making arrests or preserving the
47 peace while actually engaged in assisting such officer;

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

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

52 (4) Those persons vested by Article V, Section 1 of the Constitution of Missouri with
53 the judicial power of the state and those persons vested by Article III of the Constitution of
54 the United States with the judicial power of the United States, the members of the federal
55 judiciary;

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

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

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

62 (8) Any corporate security advisor meeting the definition and fulfilling the
63 requirements of the regulations established by the department of public safety under section
64 590.750;

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

66 (10) Any municipal or county prosecuting attorney or assistant prosecuting attorney;
67 circuit attorney or assistant circuit attorney; municipal, associate, or circuit judge; or any
68 person appointed by a court to be a special prosecutor who has completed the firearms safety
69 training course required under subsection 2 of section 571.111;

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

75 (12) Upon the written approval of the governing body of a fire department or fire
76 protection district, any paid fire department or fire protection district member who is
77 employed on a full-time basis and who has a valid concealed carry endorsement issued prior
78 to August 28, 2013, or a valid concealed carry permit, when such uses are reasonably
79 associated with or are necessary to the fulfillment of such person's official duties.

80 3. Subdivisions (1), (5), (8), and (10) of subsection 1 of this section do not apply
81 when the actor is transporting such weapons in a nonfunctioning state or in an unloaded state
82 when ammunition is not readily accessible or when such weapons are not readily accessible.
83 Subdivision (1) of subsection 1 of this section does not apply to any person nineteen years of
84 age or older or eighteen years of age or older and a member of the United States Armed
85 Forces, or honorably discharged from the United States Armed Forces, transporting a
86 concealable firearm in the passenger compartment of a motor vehicle, so long as such
87 concealable firearm is otherwise lawfully possessed, nor when the actor is also in possession
88 of an exposed firearm or projectile weapon for the lawful pursuit of game, or is in his or her
89 dwelling unit or upon premises over which the actor has possession, authority or control, or is
90 traveling in a continuous journey peaceably through this state. Subdivision (10) of subsection
91 1 of this section does not apply if the firearm is otherwise lawfully possessed by a person
92 while traversing school premises for the purposes of transporting a student to or from school,
93 or possessed by an adult for the purposes of facilitation of a school-sanctioned firearm-related
94 event or club event.

95 4. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to any
96 person who has a valid concealed carry permit issued pursuant to sections 571.101 to
97 571.121, a valid concealed carry endorsement issued before August 28, 2013, or a valid
98 permit or endorsement to carry concealed firearms issued by another state or political
99 subdivision of another state.

100 5. Subdivisions (3), (4), (5), (6), (7), (8), (9), and (10) of subsection 1 of this section
101 shall not apply to persons who are engaged in a lawful act of defense pursuant to section
102 563.031.

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

111 7. **(1) Subdivision (10) of subsection 1 of this section shall not apply to a person**
112 **who is a school officer commissioned by the district school board under section 162.215**
113 **or who is a school protection officer, as described under section 160.665.**

114 (2) Nothing in this section shall make it unlawful for a student to actually participate
115 in school-sanctioned gun safety courses, student military or ROTC courses, or other school-
116 sponsored or club-sponsored firearm-related events, provided the student does not carry a
117 firearm or other weapon readily capable of lethal use into any school, onto any school bus, or
118 onto the premises of any other function or activity sponsored or sanctioned by school officials
119 or the district school board.

120 8. A person who commits the crime of unlawful use of weapons under:

121 (1) Subdivision (2), (3), (4), or (11) of subsection 1 of this section shall be guilty of a
122 class E felony;

123 (2) Subdivision (1), (6), (7), or (8) of subsection 1 of this section shall be guilty of a
124 class B misdemeanor, except when a concealed weapon is carried onto any private property
125 whose owner has posted the premises as being off-limits to concealed firearms by means of
126 one or more signs displayed in a conspicuous place of a minimum size of eleven inches by
127 fourteen inches with the writing thereon in letters of not less than one inch, in which case the
128 penalties of subsection 2 of section 571.107 shall apply;

129 (3) Subdivision (5) or (10) of subsection 1 of this section shall be guilty of a class A
130 misdemeanor if the firearm is unloaded and a class E felony if the firearm is loaded;

131 (4) Subdivision (9) of subsection 1 of this section shall be guilty of a class B felony,
132 except that if the violation of subdivision (9) of subsection 1 of this section results in injury or
133 death to another person, it is a class A felony.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

172 (1) A photographic identification issued by the agency from which the individual
173 retired from service as a peace officer that indicates that the individual has, not less recently
174 than one year before the date the individual is carrying the concealed firearm, been tested or
175 otherwise found by the agency to meet the standards established by the agency for training
176 and qualification for active peace officers to carry a firearm of the same type as the concealed
177 firearm; or

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

180 (3) A certification issued by the state in which the individual resides that indicates
181 that the individual has, not less recently than one year before the date the individual is
182 carrying the concealed firearm, been tested or otherwise found by the state to meet the

183 standards established by the state for training and qualification for active peace officers to
184 carry a firearm of the same type as the concealed firearm.

571.070. 1. A person commits the offense of unlawful possession of a firearm if such
2 person knowingly has any firearm in his or her possession and:

3 (1) Such person has been convicted of a **violent** felony under the laws of this state[;]
4 or of a crime under the laws of any state or of the United States [~~which~~] **that**, if committed
5 within this state, would be a **violent** felony; [~~or~~]

6 (2) **Such person is on probation or parole for a nonviolent felony under the laws**
7 **of this state or for a crime under the laws of any state or the United States that, if**
8 **committed within this state, would be a nonviolent felony; or**

9 (3) Such person is a fugitive from justice, is habitually in an intoxicated or drugged
10 condition, or is currently adjudged mentally incompetent.

11

12 **For purposes of this section, a "violent felony" is any felony offense that involves the use**
13 **or threat of force against another person and a "nonviolent felony" is any felony offense**
14 **that does not involve the use or threat of force against another person.**

15 2. Unlawful possession of a firearm is a class D felony, unless a person has been
16 convicted of a dangerous felony as defined in section 556.061, in which case it is a class C
17 felony.

18 3. The provisions of subdivision (1) of subsection 1 of this section shall not apply to
19 the possession of an antique firearm.

590.060. 1. The POST commission shall establish minimum standards for training
2 instructors and training centers, and the director shall establish minimum qualifications for
3 admittance into a basic training course.

4 2. The director shall license training instructors, centers, and curricula, and may
5 probate, suspend and revoke such licenses upon written notice stating the reasons for such
6 action. Any person aggrieved by a decision pursuant to this subsection may appeal as
7 provided in chapter 536.

8 3. Each person seeking entrance into a basic training program shall submit a
9 fingerprint card and authorization for a criminal history background check to include the
10 records of the Federal Bureau of Investigation to the training center where such person is
11 seeking entrance. The training center shall cause a criminal history background check to be
12 made and shall cause the resulting report to be forwarded to the director. The person seeking
13 entrance may be charged a fee for the cost of this procedure.

14 **4. Notwithstanding any other provision of law, no law enforcement agency or**
15 **political subdivision empowered by law to maintain a law enforcement agency shall**
16 **contract with any public or private entity to provide law enforcement training unless the**

17 entity's instructors and curriculum have been approved by the department of public
18 safety.

590.1070. 1. There is hereby established within the department of public safety
2 the "Peace Officer Basic Training Tuition Reimbursement Program". Any moneys
3 appropriated by the general assembly for this program shall be used to provide tuition
4 reimbursement for:

5 (1) Qualifying Missouri residents who have paid tuition at a state licensed basic
6 law enforcement training center for the basic law enforcement training required for a
7 peace officer license in this state and who have been employed as full-time peace officers
8 in this state for a specified period; and

9 (2) Qualifying government entities that have paid tuition for an employee to
10 receive the basic law enforcement training required for a peace officer license in this
11 state at a licensed basic law enforcement training center when such employee has been
12 employed as a full-time peace officer for a specified period.

13 2. The Missouri POST Commission shall be the administrative agency for the
14 implementation of the tuition reimbursement program established under this section,
15 and shall:

16 (1) Prescribe the form and the time and method of awarding tuition
17 reimbursement under this section and shall supervise the processing thereof; and

18 (2) Select qualifying recipients to receive reimbursement under this section and
19 determine the manner and method of payment to the recipient.

20 3. To be eligible to receive tuition reimbursement under subdivision (1) of
21 subsection 1 of this section, a person shall:

22 (1) Be initially employed as a peace officer on or after September 1, 2023;

23 (2) Submit to the commission an initial application for tuition reimbursement,
24 and annually thereafter for each year of qualifying employment, in the manner and on a
25 form prescribed by the commission that requires:

26 (a) Employer verification of the person's employment as a full-time peace officer
27 in this state for at least one year and the person's current employment as a peace officer
28 in this state as of the date of the application;

29 (b) A transcript containing the person's basic police training coursework and his
30 or her date of graduation; and

31 (c) A statement of the total amount of tuition the applicant paid to the basic
32 training center for his or her basic training;

33 (3) Be currently employed, and have completed at least one year of employment,
34 as a full-time peace officer in this state; and

35 **(4) Comply with any other requirements adopted by the commission under this**
36 **section.**

37 **4. To be eligible to receive tuition reimbursement under subdivision (2) of**
38 **subsection 1 of this section, a government entity shall:**

39 **(1) Be the employer of a peace officer who was initially employed on or after**
40 **September 1, 2023;**

41 **(2) Submit to the commission an initial application for tuition reimbursement,**
42 **and annually thereafter for each year of the employee's qualifying employment, up to**
43 **four years, in the manner and on a form prescribed by the commission that requires:**

44 **(a) Verification of the employee's full-time employment as a peace officer in this**
45 **state for at least one year and the employee's current employment as a peace officer in**
46 **this state as of the date of the application;**

47 **(b) A transcript containing the employee's basic police training coursework and**
48 **his or her date of graduation; and**

49 **(c) A statement of the total amount of tuition and fees the employer paid to the**
50 **basic training center for the employee's basic training;**

51 **(3) Certify that the employee is currently employed, and has completed at least**
52 **one year of employment, as a full-time peace officer in this state; and**

53 **(4) Comply with any other requirements adopted by the commission under this**
54 **section.**

55 **5. Tuition reimbursement granted under this section, subject to the availability**
56 **of funds, shall be reimbursed as follows:**

57 **(1) At the end of one year of continuous employment as a full-time peace officer,**
58 **an applicant or his or her employer, whichever applies, shall be eligible to receive**
59 **reimbursement for twenty-five percent of the total tuition paid to a licensed basic**
60 **training center;**

61 **(2) At the end of two, three, and four years of continuous qualifying employment**
62 **as a full-time peace officer, and submission of documents verifying continued full-time**
63 **employment as a peace officer, an applicant or his or her employer, whichever applies,**
64 **shall be eligible to receive reimbursement each year for twenty-five percent of the total**
65 **tuition paid to a licensed basic training center. A government entity may qualify for**
66 **tuition reimbursement under this subdivision for tuition paid for an employee even if**
67 **such person is no longer employed by the government entity as long as the person for**
68 **whom tuition was paid is still continuously employed as a full-time peace officer.**

69 **6. Notwithstanding any provision of this section to the contrary, the total amount**
70 **of tuition reimbursement provided under this section to an eligible person, or to a**

71 **government entity with respect to an employee, shall not exceed six thousand dollars per**
72 **person or employee.**

73 **7. The department of public safety shall promulgate all necessary rules and**
74 **regulations for the administration of the program. Any rule or portion of a rule, as that**
75 **term is defined in section 536.010, that is created under the authority delegated in this**
76 **section shall become effective only if it complies with and is subject to all of the**
77 **provisions of chapter 536 and, if applicable, section 536.028. This section and chapter**
78 **536 are nonseverable and if any of the powers vested with the general assembly**
79 **pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul**
80 **a rule are subsequently held unconstitutional, then the grant of rulemaking authority**
81 **and any rule proposed or adopted after August 28, 2023, shall be invalid and void.**

590.1075. There is hereby created in the state treasury the "Peace Officer Basic
2 **Training Tuition Reimbursement Fund", which shall consist of moneys appropriated**
3 **annually by the general assembly from general revenue and any gifts, bequests, or**
4 **donations. The state treasurer shall be custodian of the fund. In accordance with**
5 **sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund**
6 **shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used**
7 **solely for the administration of section 590.1070. Notwithstanding the provisions of**
8 **section 33.080 to the contrary, any moneys remaining in the fund at the end of the**
9 **biennium shall not revert to the credit of the general revenue fund. The state treasurer**
10 **shall invest moneys in the fund in the same manner as other funds are invested. Any**
11 **interest and moneys earned on such investments shall be credited to the fund.**

Section B. Because immediate action is necessary to reduce crime and the backlog of
2 criminal cases, the repeal and reenactment of section 56.110 and the enactment of section
3 56.601 of section A of this act are deemed necessary for the immediate preservation of the
4 public health, welfare, peace, and safety, and are hereby declared to be emergency acts within
5 the meaning of the constitution, and the repeal and reenactment of section 56.110 and the
6 enactment of section 56.601 of section A of this act shall be in full force and effect upon its
7 passage and approval.

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