

SECOND REGULAR SESSION  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR

# HOUSE BILL NO. 1481

102ND GENERAL ASSEMBLY

3522S.05C

KRISTINA MARTIN, Secretary

## AN ACT

To repeal sections 84.015, 84.020, 84.030, 84.040, 84.060, 84.070, 84.080, 84.090, 84.095, 84.100, 84.110, 84.120, 84.130, 84.150, 84.160, 84.170, 84.175, 84.180, 84.190, 84.200, 84.210, 84.240, 84.250, 84.265, 84.330, 84.340, 84.341, 84.342, 84.343, 84.344, 84.345, 84.346, 84.347, and 105.726, RSMo, and to enact in lieu thereof twenty-five new sections relating to the operation of certain law enforcement agencies, with penalty provisions.

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

Section A. Sections 84.015, 84.020, 84.030, 84.040, 2 84.060, 84.070, 84.080, 84.090, 84.095, 84.100, 84.110, 84.120, 3 84.130, 84.150, 84.160, 84.170, 84.175, 84.180, 84.190, 84.200, 4 84.210, 84.240, 84.250, 84.265, 84.330, 84.340, 84.341, 84.342, 5 84.343, 84.344, 84.345, 84.346, 84.347, and 105.726, RSMo, are 6 repealed and twenty-five new sections enacted in lieu thereof, 7 to be known as sections 84.012, 84.015, 84.020, 84.030, 84.040, 8 84.060, 84.090, 84.100, 84.120, 84.130, 84.150, 84.160, 84.170, 9 84.180, 84.190, 84.200, 84.210, 84.225, 84.250, 84.325, 84.330, 10 84.340, 84.341, 84.342, and 105.726, to read as follows:

**84.012. In all cities of this state not within a**  
2 **county, the common council or municipal assembly of such**  
3 **cities may pass ordinances for preserving order; securing**  
4 **property and persons from violence, danger, or destruction;**  
5 **protecting public and private property; and promoting the**

**EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

6 interests and ensuring the good governance of the cities,  
7 but no charter amendment or ordinances heretofore passed, or  
8 that may hereafter be passed, by the common council or  
9 municipal assembly of the cities, or enacted by initiative  
10 petition, shall, in any manner, conflict or interfere with  
11 the powers or the exercise of the powers of the boards of  
12 police commissioners of the cities as created by section  
13 84.020, nor shall the cities or any officer or agent of the  
14 corporation of the cities, or the mayor thereof, in any  
15 manner impede, obstruct, hinder, or interfere with the  
16 boards of police commissioners, or any officer, agent, or  
17 servant thereof or thereunder.

84.015. Venue for any civil action involving the board  
2 of police commissioners **in their official capacity**,  
3 established pursuant to section 84.020, shall be appropriate  
4 in the twenty-second judicial circuit.

84.020. 1. In all cities [of this state that now  
2 have, or may hereafter attain, a population of five hundred  
3 thousand inhabitants or over] **not within a county**, there  
4 shall be, and is hereby established, within and for said  
5 cities, a board of police **commissioners**, to consist of four  
6 **citizen** commissioners, as provided in sections 84.040 to  
7 84.080, **to be the governing body of the permanent police**  
8 **force pursuant to section 84.100**, together with the mayor of  
9 said cities for the time being, or whosoever may be  
10 officially acting in that capacity, and said board shall  
11 **annually** appoint one of its members as president, [and] one  
12 member who shall act as vice president [during the absence  
13 of the president], **and one member who shall act as board**  
14 **secretary**; and such president or vice president shall be the  
15 executive officer of the board and shall act for it when the  
16 board is not in session.

17           2. The board shall consist of five commissioners, one  
18 of whom is the mayor of any city not within a county and  
19 four citizen commissioners, who shall be residents of the  
20 city for not less than three years preceding their  
21 appointment. No member shall be a former or current  
22 employee of the permanent police force. Except for the  
23 mayor, no member shall be nominated or hold any other  
24 elective or appointed public or political office. If any  
25 citizen member is nominated or elected to any elective or  
26 appointed public or political office, then such member shall  
27 forfeit his or her appointment and shall immediately vacate  
28 his or her office. The mayor of any city not within a  
29 county shall automatically be a member of the board, while  
30 the remaining commissioners shall be appointed as follows:

31           (1) One commissioner to be appointed by the board of  
32 alderman;

33           (2) Two commissioners to be appointed by the president  
34 of the Saint Louis Police Officer's Association; and

35           (3) One commissioner to be appointed by the president  
36 of the Saint Louis Ethical Society of Police.

37           3. Any member of the board may be removed for cause  
38 with the approval of a majority of the other board members;  
39 but such member shall first be presented with a written  
40 statement of the reasons for removal and shall have the  
41 opportunity for a hearing by the board to establish cause  
42 for removal. The decision for removal of a board member is  
43 final. However, the removed member may appeal their removal  
44 to the twenty-second judicial circuit court.

45           4. A majority of the board shall constitute a quorum  
46 for the transaction of business, but no action shall be  
47 taken by the board or deemed valid unless three concurring  
48 votes are cast.

49           5. The board shall have the power to summon and compel  
50 attendance of witnesses before the board and to compel the  
51 production of documents and other evidence, whenever  
52 necessary in the discharge of its duties, and shall have the  
53 power to administer oaths or affirmations to any person  
54 appearing or called before it.

55           6. The board shall have the following powers and  
56 duties:

57           (1) To receive input from the chief of police, in  
58 order to formulate and approve policies governing the  
59 operation and conduct of the permanent police force pursuant  
60 to section 84.100;

61           (2) To appoint as a chief of police any person who  
62 shall be responsible to the board for proper execution of  
63 the policies, duties, and responsibilities established by  
64 the board for the administration of the police department,  
65 and to remove the chief pursuant to section 106.273;

66           (3) To hear and determine appeals from the decisions  
67 of the chief of police on disciplinary matters arising with  
68 the department, pursuant to section 590.502; however, at the  
69 time of the effective date of this act and until such time  
70 as the board adopts other investigative and disciplinary  
71 policies and procedures not inconsistent with section  
72 590.502, discipline and investigative procedures for  
73 commissioned and civilian employees of the police force  
74 shall be regulated by rule 7 of the police manual of the  
75 police department in effect as of November 4, 2013; except  
76 that, where rule 7 is in conflict with section 590.502, the  
77 board shall comply with the requirements of section  
78 590.502. Under no circumstances shall the board initially  
79 or hereafter adopt investigative and disciplinary procedures  
80 that do not include the summary hearing board procedures

81 provided for in rule 7 of the police manual of the police  
82 department in effect as of November 4, 2013;

83 (4) To promulgate a manual of rules and regulations  
84 for the qualifications and conduct of personnel of the  
85 police department and its operation;

86 (5) To have such other powers and duties with respect  
87 to police administration and law enforcement as provided by  
88 statute;

89 (6) To regulate and license all private watchmen,  
90 private detectives, and private police serving or acting in  
91 the city and no person shall act as such without first  
92 having obtained such license. Penalties for the violation  
93 of regulations promulgated by the board under this  
94 subsection shall be prescribed by ordinance.

84.030. Beginning on [January 9, 1989, the governor of  
2 the state of Missouri, by and with the advice and consent of  
3 the senate, shall appoint] **August 28, 2024, and no later**  
4 **than September 28, 2024,** the four **citizen** commissioners  
5 [provided for in] shall be appointed pursuant to section  
6 84.020[, ] and shall serve the following terms of office:

7 (1) One **citizen** commissioner appointed by the  
8 **president of the Saint Louis Police Officer's Association**  
9 shall [be appointed] **serve** for a term of one year;

10 (2) One **citizen** commissioner appointed by the board of  
11 **alderman** shall [be appointed] **serve** for a term of two years;

12 (3) One **citizen** commissioner appointed by the  
13 **president of the St. Louis Ethical Society of Police** shall  
14 [be appointed] **serve** for a term of three years;

15 (4) One **citizen** commissioner appointed by the  
16 **president of the Saint Louis Police Officer's Association**  
17 shall [be appointed] **serve** for a term of four years. Their  
18 successors shall each be appointed for a term of four years,

19 and said commissioners shall hold office for their term of  
20 appointment and until their successors shall have been  
21 appointed and qualified. In case of a vacancy in said board  
22 for any cause whatsoever, it shall be filled by appointment  
23 for the unexpired term, in the same manner **and by the same**  
24 **appointer** as in the case of original appointments. [The  
25 governor shall issue commissions to the persons so  
26 appointed, designating the time for which they are appointed  
27 in case the appointment is to fill an unexpired term  
28 occasioned by death, resignation or any other cause, and  
29 whenever the term of office of any commissioner expires, the  
30 appointment of his successor shall be for four years. The  
31 commissioners now holding offices under existing laws in any  
32 city of this state to which sections 84.010 to 84.340 apply  
33 are to hold their offices until the expiration of their  
34 terms, and their successors are duly appointed and  
35 qualified.]

84.040. The [said] **citizen** commissioners shall be  
2 [citizens] **residents** of the state of Missouri, and shall  
3 have been residents of the cities for a period of [four]  
4 **three** years next preceding their appointment; they shall,  
5 except as specified in sections **84.020 and** 84.030 [and  
6 84.080], hold their offices for four years, and until their  
7 respective successors shall have been appointed and  
8 qualified, and receive each a salary of one thousand dollars  
9 per annum, payable monthly; before entering upon the duties  
10 of their said offices, the said commissioners and the said  
11 mayor shall take and subscribe before a circuit or associate  
12 circuit judge of the circuit court of judicial circuit in  
13 which said cities shall be located, or the clerk thereof,  
14 the oath or affirmation prescribed by the Constitution of  
15 the state of Missouri, and shall also take and subscribe

16 before the same judge or clerk the further oath or affidavit  
17 that in any and every appointment or removal to be made by  
18 them to or from the police force created and to be organized  
19 by them under sections [84.010 to 84.340] **84.012 to 84.342**,  
20 they will in no case and under no pretext appoint or remove  
21 any policeman or officer of police, or other person under  
22 them, on account of the political opinions of such police  
23 officer or other person, or for any other cause or reason  
24 than the fitness or unfitness of such a person, in the best  
25 judgment of such commissioners, for the place for which he  
26 shall be appointed, or from the place from which he shall be  
27 removed. The said oaths or affirmations shall be recorded  
28 and preserved among the records of the said circuit court.

84.060. 1. The board shall appoint a secretary to  
2 [act as such for] **staff** the board of police commissioners,  
3 to be appointed in the same manner as other officers, and  
4 such appointment shall be additional to the number of **board**  
5 appointments herein provided. The secretary shall serve at  
6 the pleasure of the board.

7 2. The salary of the secretary of the board shall be  
8 determined and fixed by the board of police commissioners,  
9 and no other provisions of this chapter shall apply in the  
10 determination of the amount of the salary of the secretary.

11 3. Every person appointed to serve as secretary shall  
12 be a resident of the city.

84.090. The duties of the boards of police hereby  
2 created shall be as follows: They shall, at all times of  
3 the day and night, within the boundaries of said cities, as  
4 well on water as on land,

5 (1) Preserve the public peace, prevent crime and  
6 arrest offenders;

7 (2) Protect the rights of persons and property;

8 (3) Guard the public health;

9 (4) Preserve order at every public election, and at  
10 all public meetings and places, and on all public occasions;

11 (5) Prevent and remove nuisances on all streets,  
12 highways, waters and other places;

13 (6) Provide a proper police force at every fire for  
14 the protection of firemen and property;

15 (7) Protect emigrants and travelers at steamboat  
16 landings and railway stations;

17 (8) See that all laws relating to elections and to the  
18 observance of Sunday, and regulating pawnbrokers, gamblers,  
19 intemperance, lotteries and lottery policies, vagrants,  
20 disorderly persons, and the public health are enforced;

21 (9) They shall also enforce all laws and all  
22 ordinances passed or which may hereafter be passed by the  
23 common council or municipal assembly of said cities, not  
24 inconsistent with the provisions of sections [84.010 to  
25 84.340] **84.012 to 84.342**, or any other law of the state,  
26 which may be properly enforceable by a police force;

27 (10) In case they shall have any reason to believe  
28 that any person within said cities intends to commit any  
29 breaches of the peace, or violation of the law or order  
30 beyond the city limits, any person charged with the  
31 commission of crime in said cities and against whom criminal  
32 process shall have issued, may be arrested upon the same in  
33 any part of this state by the police force created or  
34 authorized by sections [84.010 to 84.340] **84.012 to 84.342**;  
35 provided, however, that before the person so arrested shall  
36 be removed from the county in which such arrest is made he  
37 shall be taken before some judge, to whom the papers  
38 authorizing such arrest shall be submitted; and the person  
39 so arrested shall not be removed from said county, but shall

40 forthwith be discharged, unless such judge shall endorse and  
41 approve said papers;

42 (11) The said police commissioners, or either of them,  
43 shall have the power to administer oaths or affirmations in  
44 the premises, to any person appearing or called before them;

45 (12) They shall also have the power to summon and  
46 compel the attendance of witnesses before them, whenever it  
47 may be necessary for the more effectual discharge of their  
48 duties.

84.100. To enable the boards to perform the duties  
2 imposed upon them, they are hereby authorized and required  
3 to appoint, enroll and employ [a] **only one** permanent police  
4 force for the cities which they shall equip and arm as they  
5 may judge necessary. [Except as provided below, the number  
6 of patrolmen to be appointed shall not be more than one  
7 thousand six hundred eighty-three of which number not more  
8 than two hundred fifty are to be probationary patrolmen.  
9 Any increase in the number of patrolmen authorized, in  
10 addition to that provided for above, shall be permitted upon  
11 recommendation by the board of police commissioners, with  
12 the approval of the municipal board of estimate and  
13 apportionment. The number of turnkeys to be appointed shall  
14 be sixty-five, except that for each patrolman hereafter  
15 promoted, demoted, removed, resigned or otherwise separated  
16 from the force, an additional turnkey may be appointed, but  
17 under no circumstances shall more than one hundred fifty  
18 turnkeys be appointed. As each additional turnkey is  
19 appointed, the maximum number of patrolmen to be appointed  
20 shall be reduced accordingly so that when one hundred fifty  
21 turnkeys have been appointed, the number of patrolmen to be  
22 appointed shall not be more than one thousand five hundred  
23 ninety-eight.] **All police officers shall be hired, employed,**

24 or under contract by the permanent police force. The board  
25 may continue to employ as many commissioned police officers,  
26 probationary police officers, and noncommissioned civilians,  
27 which shall include city marshals and park rangers, as it  
28 deems necessary in order to perform the duties imposed upon  
29 it. The board shall determine the number of police officers  
30 in each rank. The board shall determine the terms of  
31 regular service for all members of the permanent police  
32 force as provided by law.

84.120. 1. No person shall be appointed or employed  
2 as [policeman, turnkey, or] **police** officer [of police] who  
3 shall have been convicted of, or against whom any indictment  
4 may be pending, for any offense, the punishment of which may  
5 be confinement in the penitentiary; nor shall any person be  
6 so appointed who is not of good character, or who is not a  
7 citizen of the United States, or who is not able to read and  
8 write the English language, or who does not possess ordinary  
9 physical strength and courage. The [patrolmen and turnkeys]  
10 **police officers** hereafter appointed shall serve while they  
11 shall faithfully perform their duties and possess mental and  
12 physical ability and be subject to removal only for cause  
13 [after a hearing by the boards, who are hereby invested with  
14 the jurisdiction in the premises] **pursuant to section**  
15 **590.502.**

16 2. The board shall have the sole discretion whether to  
17 delegate portions of its jurisdiction to hearing officers.  
18 The board shall retain final and ultimate authority over  
19 such matters and over the person to whom the delegation may  
20 be made. In any hearing before the board under this  
21 section, the member involved may make application to the  
22 board to waive a hearing before the board and request that a  
23 hearing be held before a hearing officer.

24           3. Nothing in this section or chapter shall be  
25 construed to prohibit the board of police commissioners from  
26 delegating any task related to disciplinary matters,  
27 disciplinary hearings, or any other hearing or proceeding  
28 which could otherwise be heard by the board or concerning  
29 any determination related to whether an officer is able to  
30 perform the necessary functions of the position. Tasks  
31 related to the preceding matter may be delegated by the  
32 board to a hearing officer under the provisions of  
33 subsection 4 of this section.

34           4. (1) The hearing officer to whom a delegation has  
35 been made by the board may, at the sole discretion of the  
36 board, perform certain functions, including but not limited  
37 to the following:

38           (a) Presiding over a disciplinary matter from its  
39 inception through to the final hearing;

40           (b) Preparing a report to the board of police  
41 commissioners; and

42           (c) Making recommendations to the board of police  
43 commissioners as to the allegations and the appropriateness  
44 of the recommended discipline.

45           (2) The board shall promulgate rules, which may be  
46 changed from time to time as determined by the board, and  
47 shall make such rules known to the hearing officer or others.

48           (3) The board shall at all times retain the authority  
49 to render the final decision after a review of the relevant  
50 documents, evidence, transcripts, videotaped testimony, or  
51 report prepared by the hearing officer.

52           5. Hearing officers shall be selected in the following  
53 manner:

54           (1) The board shall establish a panel of not less than  
55 five persons, all who are to be licensed attorneys in good

56 standing with the Missouri Bar. The composition of the  
57 panel may change from time to time at the board's discretion;

58 (2) From the panel, the relevant member or officer and  
59 a police department representative shall alternatively and  
60 independently strike names from the list with the last  
61 remaining name being the designated hearing officer. The  
62 board shall establish a process to be utilized for each  
63 hearing which will determine which party makes the first  
64 strike and the process may change from time to time;

65 (3) After the hearing officer is chosen and presides  
66 over a matter, such hearing officer shall become ineligible  
67 until all hearing officers listed have been utilized, at  
68 which time the list shall renew, subject to officers'  
69 availability.

70 6. Nothing in this section shall be construed to  
71 authorize the board of police commissioners to remove or  
72 discharge any chief, [as that term is defined] **except as**  
73 **provided** in section 106.273.

84.130. The boards may reappoint all members of the  
2 police force who have heretofore, or shall hereafter, resign  
3 to enter the military service of the United States during  
4 any war in which the United States is engaged, without loss  
5 of rank, and with the same effect as if an indefinite leave  
6 of absence had been granted such members, upon condition  
7 that an application for such reappointment shall be made  
8 within ninety days after the applicant's discharge from  
9 military service and that the applicant is mentally and  
10 physically qualified for police duty. [The boards may make  
11 such reappointments notwithstanding that it may cause the  
12 number of policemen employed to temporarily exceed the  
13 number herein authorized. All necessary reductions in rank  
14 shall be made to enable the boards to reappoint officers

15 above the rank of patrolmen as aforesaid to the end that the  
16 number of such officers shall not exceed that provided for  
17 in section 84.150.]

84.150. [The officers of the police force in each such  
2 city shall be as follows: one chief of police with the rank  
3 of colonel; lieutenant colonels, not to exceed five in  
4 number and other such ranks and number of members within  
5 such ranks as the board from time to time deems necessary.]

6 The officers of the police force shall have commissions  
7 issued to them by the boards of police commissioners, and  
8 those heretofore and those hereafter commissioned shall  
9 serve so long as they shall faithfully perform their duties  
10 and possess the necessary mental and physical ability, and  
11 be subject to removal only for cause [after a hearing by the  
12 board, who are hereby invested with exclusive jurisdiction  
13 in the premises] pursuant to section 590.520.

84.160. 1. As of August 28, [2006] 2024, the board of  
2 police commissioners shall have the authority to compute and  
3 establish the annual salary of each member of the police  
4 force without receiving prior authorization from the general  
5 assembly, **which shall not be less than the annual salary**  
6 **paid to any member at the time of the enactment of this act.**

7 2. Each officer of police and patrolman whose regular  
8 assignment requires nonuniformed attire may receive, in  
9 addition to his or her salary, an allowance not to exceed  
10 three hundred sixty dollars per annum payable biweekly.  
11 Notwithstanding the provisions of subsection 1 of this  
12 section to the contrary, no additional compensation or  
13 compensatory time off for overtime, court time, or standby  
14 court time shall be paid or allowed to any officer of the  
15 rank of [sergeant] **lieutenant** or above. Notwithstanding any  
16 other provision of law to the contrary, nothing in this

17 section shall prohibit the payment of additional  
18 compensation pursuant to this subsection to officers of the  
19 ranks of sergeants and above, provided that funding for such  
20 compensation shall not:

21 (1) Be paid from the general funds of either the city  
22 or the board of police commissioners of the city; or

23 (2) Be violative of any federal law or other state law.

24 3. It is the duty of the municipal assembly or common  
25 council of the cities to make the necessary appropriation  
26 for the expenses of the maintenance of the police force in  
27 the manner herein and hereafter provided; provided, that in  
28 no event shall such municipal assembly or common council be  
29 required to appropriate for such purposes (including, but  
30 not limited to, costs of funding pensions or retirement  
31 plans) for any fiscal year a sum in excess of any limitation  
32 imposed by article X, section 21, Missouri Constitution; and  
33 provided further, that such municipal assembly or common  
34 council may appropriate a sum in excess of such limitation  
35 for any fiscal year by an appropriations ordinance enacted  
36 in conformity with the provisions of the charter of such  
37 cities.

38 4. Notwithstanding the provisions of subsection 1 of  
39 this section to the contrary, the board of police  
40 commissioners shall pay additional compensation for all  
41 hours of service rendered by probationary patrolmen [and],  
42 patrolmen, **and sergeants** in excess of the established  
43 regular working period, and the rate of compensation shall  
44 be one and one-half times the regular hourly rate of pay to  
45 which each member shall normally be entitled; except that,  
46 the court time and court standby time shall be paid at the  
47 regular hourly rate of pay to which each member shall  
48 normally be entitled. No credit shall be given or

49 deductions made from payments for overtime for the purpose  
50 of retirement benefits.

51 5. Notwithstanding the provisions of subsection 1 of  
52 this section to the contrary, probationary patrolmen [and],  
53 patrolmen, **and sergeants** shall receive additional  
54 compensation for authorized overtime, court time and court  
55 standby time whenever the total accumulated time exceeds  
56 forty hours. The accumulated forty hours shall be taken as  
57 compensatory time off at the officer's discretion with the  
58 approval of his supervisor.

59 6. The allowance of compensation or compensatory time  
60 off for court standby time shall be computed at the rate of  
61 one-third of one hour for each hour spent on court standby  
62 time.

63 7. The board of police commissioners [may] **shall**  
64 effect programs to provide additional compensation to its  
65 employees for successful completion of academic work at an  
66 accredited college or university, in amounts not to exceed  
67 ten percent of their yearly salaries or for field training  
68 officer and lead officer responsibilities in amounts not to  
69 exceed three percent of their yearly salaries for field  
70 training officer responsibilities and an additional three  
71 percent of their yearly salaries for lead officer  
72 responsibilities. The board may designate up to one hundred  
73 fifty employees as field training officers and up to fifty  
74 employees as lead officers.

75 8. The board of police commissioners:

76 (1) Shall provide or contract for life insurance  
77 coverage and for insurance benefits providing health,  
78 medical and disability coverage for officers and employees  
79 of the department;

80           (2) Shall provide or contract for insurance coverage  
81 providing salary continuation coverage for officers and  
82 employees of the police department;

83           (3) Shall provide health, medical, and life insurance  
84 coverage for retired officers and employees of the police  
85 department. Health, medical and life insurance coverage  
86 shall be made available for purchase to the spouses or  
87 dependents of deceased retired officers and employees of the  
88 police department who receive pension benefits pursuant to  
89 sections 86.200 to 86.364 at the rate that such dependent's  
90 or spouse's coverage would cost under the appropriate plan  
91 if the deceased were living;

92           (4) May pay an additional shift differential  
93 compensation to members of the police force for evening and  
94 night tour of duty in an amount not to exceed ten percent of  
95 the officer's base hourly rate.

96           9. Notwithstanding the provisions of subsection 1 of  
97 this section to the contrary, the board of police  
98 commissioners shall pay additional compensation to members  
99 of the police force up to and including the rank of police  
100 officer for any full hour worked between the hours of 11:00  
101 p.m. and 7:00 a.m., in amounts equal to **[five] ten** percent  
102 of the officer's base hourly pay.

103           10. The board of police commissioners, from time to  
104 time and in its discretion, may pay additional compensation  
105 to police officers, sergeants and lieutenants by paying  
106 commissioned officers in the aforesaid ranks for  
107 accumulated, unused vacation time. Any such payments shall  
108 be made in increments of not less than forty hours, and at  
109 rates equivalent to the base straight-time rates being  
110 earned by said officers at the time of payment; except that,

111 no such officer shall be required to accept payment for  
112 accumulated unused vacation time.

84.170. 1. When any vacancy shall take place in any  
2 grade of officers, it shall be filled from the next lowest  
3 grade; provided, however, that probationary patrolmen shall  
4 serve at least six months as such before being promoted to  
5 the rank of patrolman; patrolmen shall serve at least three  
6 years as such before being promoted to the rank of sergeant;  
7 sergeants shall serve at least one year as such before being  
8 promoted to the rank of lieutenant; lieutenants shall serve  
9 at least one year as such before being promoted to the rank  
10 of captain; and in no case shall the [chief or] assistant  
11 chief be selected from men not members of the force or below  
12 the grade of captain. Patrolmen shall serve at least three  
13 years as such before promotion to the rank of detective; the  
14 inspector shall be taken from men in the rank not below the  
15 grade of lieutenant.

16 2. The boards of police are hereby authorized to make  
17 all such rules and regulations, not inconsistent with  
18 sections [84.010 to 84.340] **84.012 to 84.342**, or other laws  
19 of the state, as they may judge necessary, for the  
20 appointment, employment, uniforming, discipline, trial and  
21 government of the police. The said boards shall also have  
22 power to require of any officer or policeman bond with  
23 sureties when they may consider it demanded by the public  
24 interests. All lawful rules and regulations of the board  
25 shall be obeyed by the police force on pain of dismissal or  
26 such lighter punishment, either by suspension, fine,  
27 reduction or forfeiture of pay, or otherwise as the boards  
28 may adjudge.

29 [3. The authority possessed by the board of police  
30 includes, but is not limited to, the authority to delegate

31 portions of its powers authorized in section 84.120,  
32 including presiding over a disciplinary hearing, to a  
33 hearing officer as determined by the board.]

84.180. No officer of police or policeman shall be  
2 allowed to receive any money or gratuity or compensation for  
3 any service he may render without the consent of the said  
4 boards; and all such moneys as any policeman or police  
5 officer may be so permitted to receive shall be paid over to  
6 the boards, and together with all the proceeds of all fines,  
7 forfeitures and unreclaimed property which may come to the  
8 possession of said boards, or to be recovered by them under  
9 the provisions of sections [84.010 to 84.340] **84.012 to**  
10 **84.342**, or any other law or ordinance, shall be disposed of  
11 in accordance with rules adopted by the said boards, subject  
12 to the provisions of the laws of this state controlling and  
13 directing the dispensation of such funds.

84.190. 1. The boards of police commissioners are  
2 hereby authorized to provide themselves with such office and  
3 office furniture, and such clerks and subordinates as they  
4 shall need; and to have and use a common seal. They may  
5 divide such cities into not more than twelve nor less than  
6 [nine] **six** police districts, and provide in each of them, if  
7 necessary, a station house or houses, with all things and  
8 equipments required for the same, and all such other  
9 accommodations as may be required for the use of the police.

2. The boards, for all the purposes of sections  
11 [84.010 to 84.340] **84.012 to 84.342**, shall have the use of  
12 the fire alarm telegraph of such cities for police purposes,  
13 and all station houses, watch boxes, firearms, equipments,  
14 accoutrements, **technology, facilities**, and other  
15 accommodations and things provided by such cities, for the  
16 use and service of the police, as fully and to the same

17 extent as the same are now used by or for any present  
18 police, or as fully and to the same extent as the same may  
19 be used by any police force in any of the cities to which  
20 sections [84.010 to 84.340] **84.012 to 84.342** may hereafter  
21 apply **at the discretion of the board**; and the mayor and  
22 common council or municipal assembly, and all persons and  
23 municipal officers in charge thereof, are hereby ordered and  
24 required to allow such use [accordingly] **of all facilities,**  
25 **technology, and equipment.** In case the mayor and common  
26 council or municipal assembly of any of such cities, or its  
27 officers or agents, refuse or neglect to allow such use, as  
28 and whenever the same shall be required by the boards  
29 created by sections [84.010 to 84.340] **84.012 to 84.342**, or  
30 refuse to set aside and appropriate the revenue necessary to  
31 carry out the provisions of sections [84.010 to 84.340]  
32 **84.012 to 84.342**, or place obstructions or hindrances in the  
33 way of the proper discharge of the powers of such boards,  
34 the boards may apply to the circuit courts of the judicial  
35 circuit in which such cities may be located, in the name of  
36 the state, for a mandamus to compel a compliance with the  
37 provisions of this section, and the application thereof  
38 shall be heard and decided by the court. One week's notice  
39 of the application shall be given, and the respondent or  
40 respondents shall have the right to answer within the week;  
41 and if testimony be needed on either side, the same shall be  
42 taken within ten days after the same is filed, or the week  
43 shall be expired. From the decision in the circuit court in  
44 the premises either party may appeal within ten days; and it  
45 shall be the duty of the clerk of such courts to send up the  
46 record immediately, and the appeal shall be heard  
47 immediately by the supreme court, if then in session, and if

48 not in session, at the next term. In both courts the case  
49 shall be taken up and tried in preference to all others.

84.200. It shall be the duty of the sheriff of the  
2 county or city in which any of the cities to which sections  
3 [84.010 to 84.340] **84.012 to 84.342** may apply shall be  
4 located, whenever called on for that purpose by said boards,  
5 to act under their control for the preservation of the  
6 public peace and quiet; and, if ordered by them to do so, he  
7 shall summon the posse comitatus for that purpose, and hold  
8 and employ such posse subject to their direction; whenever  
9 the exigency or circumstances may, in their judgment,  
10 warrant it, the said boards shall have the power to assume  
11 the control and command of all conservators of the peace of  
12 the county or city in which any of the cities to which  
13 sections [84.010 to 84.340] **84.012 to 84.342** may apply,  
14 whether sheriff, constable, policemen or others, and they  
15 shall act under the orders of the said boards and not  
16 otherwise.

84.210. 1. It shall be the duty of said boards,  
2 annually on or before the last day of February of each year  
3 to prepare, in writing, on such forms as may be prescribed  
4 for budget preparation purposes by such cities for  
5 departments of city government, an estimate of the sum of  
6 money which will be necessary for the subsequent fiscal  
7 year, to enable them to discharge the duties hereby imposed  
8 upon them, and to meet the expenses of the police  
9 department. Such estimate shall include, but not be limited  
10 to, all reasonably anticipated revenues of such boards from  
11 all sources including, but not limited to, grants from the  
12 federal or state governments, governmental agencies or other  
13 grantors and forfeitures of property and proceeds of  
14 forfeited property, a table of organization, line items for

15 personnel, supplies, maintenance, repairs, services and  
16 contractual requirements, and a statement comparing receipts  
17 and expenses for the last prior full fiscal year, the  
18 current fiscal year, and the fiscal year to which the  
19 estimate pertains. Said boards shall forthwith certify such  
20 estimate to the board of common council or municipal  
21 assembly, as the case may be, of said cities, who are hereby  
22 required to set apart and appropriate the amount so  
23 certified, payable out of the revenue of said cities, after  
24 having first deducted the amount necessary to pay the  
25 interest upon the indebtedness of said cities, the amount  
26 necessary for the expenses of the city hospital and health  
27 department, the amount necessary for lighting the city, and  
28 any sum required by law to be placed to the credit of the  
29 sinking fund of said cities. During a fiscal year for which  
30 an appropriation has been so made, said boards shall not  
31 transfer funds appropriated for one line item of such  
32 appropriation to any other line item without the prior  
33 approval of the municipal board of estimate and  
34 apportionment.

35 2. The said boards of police commissioners shall pass  
36 upon all claims presented against them for the expenses  
37 incurred in the discharge of their duties as herein  
38 provided, and shall certify, by their president and  
39 secretary, all such claims as are entitled to payment and  
40 all salary rolls for salaries as provided in sections  
41 **[84.010 to 84.340] 84.012 to 84.342**, and such claims and  
42 salary rolls, when so certified, shall be duly audited and  
43 paid by the proper disbursing officer or officers of said  
44 cities within five days after being audited, out of any  
45 moneys in the city treasury not appropriated to the specific  
46 purposes above enumerated; provided, however, that the

47 amount of said claims and salary rolls so certified shall  
48 not exceed, in any one year, the amount so, as aforesaid,  
49 estimated for that year to the common council or municipal  
50 assembly of said cities aforesaid. The common council or  
51 municipal assembly of said cities shall have no power or  
52 authority to levy or collect any taxes or appropriate any  
53 money for the payment of any police force, other than that  
54 organized and employed under sections [84.010 to 84.340]  
55 **84.012 to 84.342**. No officer or servant of the mayor or the  
56 common council or municipal assembly of said cities shall  
57 disburse any money for the payment of any police force other  
58 than that organized and employed under sections [84.010 to  
59 84.340] **84.012 to 84.342**, and the power of said mayor and  
60 common council or municipal assembly to appropriate and  
61 disburse money for the payment of the police force organized  
62 and employed under sections [84.010 to 84.340] **84.012 to**  
63 **84.342** shall be exercised as in this section directed and  
64 not otherwise.

**84.225. Any officer or servant of the mayor or common**  
2 **council or municipal assembly of the cities, or other**  
3 **persons whatsoever, who forcibly resists or obstructs the**  
4 **execution or enforcement of any of the provisions of**  
5 **sections 84.012 to 84.342 or relating to the same, or who**  
6 **disburses or fails to disburse any money in violation**  
7 **thereof, or who hinders or obstructs the organization or**  
8 **maintenance of the board of police or the police force**  
9 **therein provided to be organized and maintained, or who**  
10 **maintains or controls any police force other than the one**  
11 **therein provided for, or who delays or hinders the due**  
12 **enforcement of sections 84.012 to 84.342 by failing or**  
13 **neglecting to perform the duties by such sections imposed**  
14 **upon him or her, shall be subject to a penalty of one**

15 thousand dollars for each offense, recoverable by the boards  
16 by action at law in the name of the state, and shall forever  
17 thereafter be disqualified from holding or exercising any  
18 office or employment whatsoever under the mayor or common  
19 council or municipal assembly of such cities, or under  
20 sections 84.012 to 84.342; provided that, nothing in this  
21 section shall be construed to interfere with the punishment,  
22 under any existing or any future laws of this state, of any  
23 criminal offense that is committed by the parties in or  
24 about the resistance, obstruction, hindrance, conspiracy,  
25 combination, or disbursement aforesaid.

84.250. The board shall cause a full journal of their  
2 proceedings to be kept, and shall also cause all their  
3 receipts and disbursements of money to be faithfully entered  
4 in books to be procured and kept for that purpose, and said  
5 journal, and all said books, and all other documents in  
6 possession of said board[, shall always be open to the  
7 inspection of the general assembly of the state of Missouri  
8 or any committee appointed by it for that purpose]. It  
9 shall be the duty of the board to report to the common  
10 council or municipal assembly of the said city at each  
11 annual session thereof, the number and expenses of the  
12 police force employed by it under sections [84.010 to  
13 84.340] 84.012 to 84.342, and all such other matters as may  
14 be of public interest, in connection with the duties  
15 assigned it by sections [84.010 to 84.340] 84.012 to 84.342.

84.325. 1. On August 28, 2024, the board of police  
2 commissioners shall assume control of any municipal police  
3 force established within any city not within a county,  
4 according to the procedures and requirements of this section  
5 and any rules promulgated under subsection 6 of this  
6 section. The purpose of these procedures and requirements

7 is to provide for an orderly and appropriate transition in  
8 the governance of the police force and provide for an  
9 equitable employment transition for commissioned and  
10 civilian personnel.

11 2. Upon the assumption of control by the board of  
12 police commissioners under subsection 1 of this section, any  
13 municipal police department within any city not within a  
14 county shall convey, assign, and otherwise transfer to the  
15 board title and ownership of all indebtedness and assets,  
16 including, but not limited to, all funds and real and  
17 personal property held in the name of or controlled by the  
18 municipal police department. The cities shall execute all  
19 documents reasonably required to transfer, convey, or assign  
20 ownership and obligations as provided herein. Such city  
21 shall thereafter cease the operation of any police  
22 department or police force.

23 3. Upon the assumption of control by the board of  
24 police commissioners under subsection 1 of this section, the  
25 board shall accept responsibility, ownership, and liability  
26 as successor-in-interest for contractual obligations and  
27 other lawful obligations of the municipal police department.

28 4. The board of police commissioners shall initially  
29 employ, without a reduction in rank, salary, or benefits,  
30 all commissioned and civilian personnel of the municipal  
31 police department who were employed by the municipal police  
32 department immediately prior to the date the board assumed  
33 control. The board shall recognize all accrued years of  
34 service that such commissioned and civilian personnel had  
35 with the municipal police department, as well as all accrued  
36 years of service that such commissioned and civilian  
37 personnel had previously with the board of police  
38 commissioners. Such personnel shall be entitled to no less

39 than the holidays, vacation, sick leave, sick bonus time,  
40 and annual step-increases they were entitled to as employees  
41 of the municipal police department as of August 28, 2024.

42 5. The commissioned and civilian personnel who retire  
43 from service with the municipal police department before the  
44 board of police commissioners assumed control of the  
45 department under subsection 1 of this section shall continue  
46 to be entitled to the same pension benefits provided as  
47 employees of the municipal police department and the same  
48 benefits set forth in subsection 5 of this section. Any  
49 police pension system created under chapter 86 for the  
50 benefit of a police force established under sections 84.012  
51 to 84.342 shall continue to be governed by chapter 86 and  
52 shall apply to any comprehensive policing plan and any  
53 police force established under sections 84.012 to 84.342.  
54 Other than any provision that makes chapter 86 applicable to  
55 a municipal police force established under sections 84.343  
56 to 84.346, nothing in sections 84.012 to 84.342 shall be  
57 construed as limiting or changing the rights or benefits  
58 provided under chapter 86.

59 6. The board of police commissioners may promulgate  
60 all necessary rules and regulations for the implementation  
61 and administration of this section. Any rule or portion of  
62 a rule, as that term is defined in section 536.010, that is  
63 created under the authority delegated in this section shall  
64 become effective only if it complies with and is subject to  
65 all of the provisions of chapter 536 and, if applicable,  
66 section 536.028. This section and chapter 536 are  
67 nonseverable and if any of the powers vested with the  
68 general assembly pursuant to chapter 536 to review, to delay  
69 the effective date, or to disapprove and annul a rule are  
70 subsequently held unconstitutional, then the grant of

71 **rulemaking authority and any rule proposed or adopted after**  
72 **August 28, 2024, shall be invalid and void.**

84.330. The members of the police force of the cities  
2 covered by sections [84.010 to 84.340] **84.012 to 84.342**,  
3 organized and appointed by the police commissioners of said  
4 cities, are hereby declared to be officers of the said  
5 cities, under the charter and ordinances thereof, and also  
6 to be officers of the state of Missouri, and shall be so  
7 deemed and taken in all courts having jurisdiction of  
8 offenses against the laws of this state or the ordinances of  
9 said cities.

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

84.341. No elected or appointed official of the state  
2 or any political subdivision thereof shall act or refrain  
3 from acting in any manner to impede, obstruct, hinder, or  
4 otherwise interfere with any member of a municipal police  
5 force [established under sections 84.343 to 84.346] in the  
6 performance of his or her job duties, or with any aspect of  
7 any investigation arising from the performance of such job  
8 duties. This section shall not be construed to prevent such  
9 officials from acting within the normal course and scope of  
10 their employment or from acting to implement sections  
11 [84.343 to 84.346] **84.012 to 84.342**. Any person who

12 violates this section shall be liable for a penalty of two  
13 thousand five hundred dollars for each offense and shall  
14 forever be disqualified from holding any office or  
15 employment whatsoever with the governmental entity the  
16 person served at the time of the violation. The penalty  
17 shall not be paid by the funds of any committee as the term  
18 committee is defined in section 130.011. This section shall  
19 not be construed to interfere with the punishment, under any  
20 laws of this state, of a criminal offense committed by such  
21 officials, nor shall this section apply to duly appointed  
22 members of the municipal police force, or their appointing  
23 authorities, whose conduct is otherwise provided for by law.

84.342. 1. It shall be an unlawful employment  
2 practice for an official, employee, or agent of a municipal  
3 police force established under sections 84.343 to 84.346 to  
4 discharge, demote, reduce the pay of, or otherwise retaliate  
5 against an employee of the municipal police force for  
6 reporting to any superior, government agency, or the press  
7 the conduct of another employee that the reporting employee  
8 believes, in good faith, is illegal.

9 2. Any employee of the municipal police force may  
10 bring a cause of action for general or special damages based  
11 on a violation of this section **and such action is in**  
12 **addition to the protections and remedies provided to public**  
13 **employees pursuant to section 105.055.**

105.726. 1. Nothing in sections 105.711 to 105.726  
2 shall be construed to broaden the liability of the state of  
3 Missouri beyond the provisions of sections 537.600 to  
4 537.610, nor to abolish or waive any defense at law which  
5 might otherwise be available to any agency, officer, or  
6 employee of the state of Missouri. Sections 105.711 to

7 105.726 do not waive the sovereign immunity of the state of  
8 Missouri.

9 2. The creation of the state legal expense fund and  
10 the payment therefrom of such amounts as may be necessary  
11 for the benefit of any person covered thereby are deemed  
12 necessary and proper public purposes for which funds of this  
13 state may be expended.

14 3. Moneys in the state legal expense fund shall not be  
15 available for the payment of any claim or any amount  
16 required by any final judgment rendered by a court of  
17 competent jurisdiction against a board of police  
18 commissioners established under chapter 84, including the  
19 commissioners, any police officer, notwithstanding sections  
20 84.330 and 84.710, or other provisions of law, other  
21 employees, agents, representative, or any other individual  
22 or entity acting or purporting to act on its or their  
23 behalf. Such was the intent of the general assembly in the  
24 original enactment of sections 105.711 to 105.726, and it is  
25 made express by this section in light of the decision in  
26 Wayman Smith, III, et al. v. State of Missouri, 152 S.W.3d  
27 275. Except that the commissioner of administration shall  
28 reimburse from the legal expense fund the board of police  
29 commissioners established under [section 84.350, and any  
30 successor-in-interest established pursuant to section  
31 84.344,] **chapter 84** for liability claims otherwise eligible  
32 for payment under section 105.711 paid by such [board]  
33 **boards on an equal share basis per claim** up to a maximum of  
34 one million dollars per fiscal year.

35 4. [Subject to the provisions of subsection 2 of  
36 section 84.345,] If the representation of the attorney  
37 general is requested by a board of police commissioners [or  
38 its successor-in-interest established pursuant to section

39 84.344], the attorney general shall represent, investigate,  
40 defend, negotiate, or compromise all claims under sections  
41 105.711 to 105.726 for the board of police commissioners,  
42 its successor-in-interest pursuant to section 84.344, any  
43 police officer, other employees, agents, representatives, or  
44 any other individual or entity acting or purporting to act  
45 on their behalf. The attorney general may establish  
46 procedures by rules promulgated under chapter 536 under  
47 which claims must be referred for the attorney general's  
48 representation. The attorney general and the officials of  
49 the city which the police board represents [or represented]  
50 shall meet and negotiate reasonable expenses or charges that  
51 will fairly compensate the attorney general and the office  
52 of administration for the cost of the representation of the  
53 claims under this section.

54 5. Claims tendered to the attorney general promptly  
55 after the claim was asserted as required by section 105.716  
56 and prior to August 28, 2005, may be investigated, defended,  
57 negotiated, or compromised by the attorney general and full  
58 payments may be made from the state legal expense fund on  
59 behalf of the entities and individuals described in this  
60 section as a result of the holding in Wayman Smith, III, et  
61 al. v. State of Missouri, 152 S.W.3d 275.

2 [84.070. A majority of the boards of  
3 police shall constitute a quorum; and the  
4 failure or refusal of the mayor or acting mayor  
5 of said cities to qualify or act hereunder shall  
6 in no wise impair the right or duty of said  
7 commissioners to organize and proceed as herein  
8 provided in sections 84.010 to 84.340. In case  
9 a vacancy shall occur on said board, the same  
10 shall be filled by the governor of the state of  
11 Missouri forthwith, after having been notified  
that such vacancy exists.]

2 [84.080. Any one of said commissioners,  
3 who, during his term of office, shall accept any  
4 other place of public trust or emolument, or  
5 who, during the same period, shall knowingly  
6 receive any nomination for an office elective by  
7 the people, without publicly declining same  
8 within twenty days succeeding such nomination,  
9 or shall become a candidate for the nomination  
10 for any office at the hands of any political  
11 party, shall be deemed to thereby forfeit or  
12 vacate his office. Any of said commissioners  
13 may be removed by the governor of the state of  
14 Missouri upon his being fully satisfied that the  
15 commissioner is guilty of any official  
misconduct.]

2 [84.095. All causes of action against the  
3 members of the St. Louis board of police  
4 commissioners in their official capacity shall  
5 be commenced in the circuit court of the City of  
6 St. Louis.]

2 [84.110. Eight hours shall constitute the  
3 time of regular service for the members of the  
4 police force for such cities during any one day  
5 of twenty-four hours; but nothing herein shall  
6 be so construed as to prevent the boards of  
7 police commissioners in such cities from  
8 suspending the operation of such rule fixing the  
9 time of regular daily service of such police  
10 officers in case of existing emergencies, and  
11 said boards shall have full power to determine  
12 the existence and duration of such emergencies,  
13 and their finding in respect thereto shall not  
be subject to review by any other power.]

2 [84.175. 1. Upon recommendation of the  
3 chief of police, the board may authorize and  
4 provide for the organization of a police reserve  
5 force composed of members who receive a service  
6 retirement under the provisions of sections  
7 86.200 to 86.366 and who qualify under the  
8 provisions of section 84.120. Such reserve  
9 force shall be under the command of the chief of  
police and shall be provided training,

10 equipment, uniforms, and arms as the chief shall  
11 direct with the approval of the board. Members  
12 of the reserve force shall possess all of the  
13 powers of regular police officers and shall be  
14 subject to all laws and regulations applicable  
15 to police officers; provided, however, that the  
16 city council or other governing body of any such  
17 city may in its discretion fix a total in number  
18 which the reserve force may not exceed.

19 2. In event of riot or other emergencies  
20 as declared and defined by the mayor, in  
21 concurrence with the board, the board, upon  
22 recommendation of the chief, may appoint special  
23 officers or patrolmen for temporary service in  
24 addition to the police reserve force herein  
25 provided for, but the length of time for which  
26 such officers or patrolmen shall be employed  
27 shall be limited to the time during which such  
28 emergency shall exist.]

[84.240. The board of police commissioners  
2 shall establish the Bertillon system of  
3 identification of criminals and others by means  
4 of anthropometric indications, and they are  
5 further required to employ such additional  
6 assistance as may be necessary to properly  
7 conduct and manage this department.]

[84.265. The board may appoint such number  
2 of women members of the police force as they  
3 deem necessary, and such women members shall  
4 have and exercise all the powers of the other  
5 members of the police force.]

[84.343. 1. Subject to the provisions of  
2 sections 84.344 to 84.346, any city not within a  
3 county may establish a municipal police force  
4 for the purposes of:

5 (1) Preserving the public peace, welfare,  
6 and order;

7 (2) Preventing crime and arresting  
8 suspected offenders;

9 (3) Enforcing the laws of the state and  
10 ordinances of the city;

11 (4) Exercising all powers available to a  
12 police force under generally applicable state  
13 law; and

14 (5) Regulating and licensing all private  
15 watchmen, private detectives, and private  
16 policemen serving or acting as such in said city.

17 2. Any person who acts as a private  
18 watchman, private detective, or private  
19 policeman in said cities without having obtained  
20 a written license from said cities is guilty of  
21 a class A misdemeanor.]

[84.344. 1. Notwithstanding any  
2 provisions of this chapter to the contrary, any  
3 city not within a county may establish a  
4 municipal police force on or after July 1, 2013,  
5 according to the procedures and requirements of  
6 this section. The purpose of these procedures  
7 and requirements is to provide for an orderly  
8 and appropriate transition in the governance of  
9 the police force and provide for an equitable  
10 employment transition for commissioned and  
11 civilian personnel.

12 2. Upon the establishment of a municipal  
13 police force by a city under sections 84.343 to  
14 84.346, the board of police commissioners shall  
15 convey, assign, and otherwise transfer to the  
16 city title and ownership of all indebtedness and  
17 assets, including, but not limited to, all funds  
18 and real and personal property held in the name  
19 of or controlled by the board of police  
20 commissioners created under sections 84.010 to  
21 84.340. The board of police commissioners shall  
22 execute all documents reasonably required to  
23 accomplish such transfer of ownership and  
24 obligations.

25 3. If the city establishes a municipal  
26 police force and completes the transfer  
27 described in subsection 2 of this section, the  
28 city shall provide the necessary funds for the  
29 maintenance of the municipal police force.

30 4. Before a city not within a county may  
31 establish a municipal police force under this  
32 section, the city shall adopt an ordinance

33 accepting responsibility, ownership, and  
34 liability as successor-in-interest for  
35 contractual obligations, indebtedness, and other  
36 lawful obligations of the board of police  
37 commissioners subject to the provisions of  
38 subsection 2 of section 84.345.

39 5. A city not within a county that  
40 establishes a municipal police force shall  
41 initially employ, without a reduction in rank,  
42 salary, or benefits, all commissioned and  
43 civilian personnel of the board of police  
44 commissioners created under sections 84.010 to  
45 84.340 that were employed by the board  
46 immediately prior to the date the municipal  
47 police force was established. Such commissioned  
48 personnel who previously were employed by the  
49 board may only be involuntarily terminated by  
50 the city not within a county for cause. The  
51 city shall also recognize all accrued years of  
52 service that such commissioned and civilian  
53 personnel had with the board of police  
54 commissioners. Such personnel shall be entitled  
55 to the same holidays, vacation, and sick leave  
56 they were entitled to as employees of the board  
57 of police commissioners.

58 6. Commissioned and civilian personnel of  
59 a municipal police force established under this  
60 section shall not be subject to a residency  
61 requirement of retaining a primary residence in  
62 a city not within a county but may be required  
63 to maintain a primary residence located within a  
64 one-hour response time.

65 7. The commissioned and civilian personnel  
66 who retire from service with the board of police  
67 commissioners before the establishment of a  
68 municipal police force under subsection 1 of  
69 this section shall continue to be entitled to  
70 the same pension benefits provided under chapter  
71 86 and the same benefits set forth in subsection  
72 5 of this section.

73 8. If the city not within a county elects  
74 to establish a municipal police force under this  
75 section, the city shall establish a separate  
76 division for the operation of its municipal

77 police force. The civil service commission of  
78 the city may adopt rules and regulations  
79 appropriate for the unique operation of a police  
80 department. Such rules and regulations shall  
81 reserve exclusive authority over the  
82 disciplinary process and procedures affecting  
83 commissioned officers to the civil service  
84 commission; however, until such time as the city  
85 adopts such rules and regulations, the  
86 commissioned personnel shall continue to be  
87 governed by the board of police commissioner's  
88 rules and regulations in effect immediately  
89 prior to the establishment of the municipal  
90 police force, with the police chief acting in  
91 place of the board of police commissioners for  
92 purposes of applying the rules and regulations.  
93 Unless otherwise provided for, existing civil  
94 service commission rules and regulations  
95 governing the appeal of disciplinary decisions  
96 to the civil service commission shall apply to  
97 all commissioned and civilian personnel. The  
98 civil service commission's rules and regulations  
99 shall provide that records prepared for  
100 disciplinary purposes shall be confidential,  
101 closed records available solely to the civil  
102 service commission and those who possess  
103 authority to conduct investigations regarding  
104 disciplinary matters pursuant to the civil  
105 service commission's rules and regulations. A  
106 hearing officer shall be appointed by the civil  
107 service commission to hear any such appeals that  
108 involve discipline resulting in a suspension of  
109 greater than fifteen days, demotion, or  
110 termination, but the civil service commission  
111 shall make the final findings of fact,  
112 conclusions of law, and decision which shall be  
113 subject to any right of appeal under chapter 536.

114 9. A city not within a county that  
115 establishes and maintains a municipal police  
116 force under this section:

117 (1) Shall provide or contract for life  
118 insurance coverage and for insurance benefits  
119 providing health, medical, and disability  
120 coverage for commissioned and civilian personnel

121 of the municipal police force to the same extent  
122 as was provided by the board of police  
123 commissioners under section 84.160;

124 (2) Shall provide or contract for medical  
125 and life insurance coverage for any commissioned  
126 or civilian personnel who retired from service  
127 with the board of police commissioners or who  
128 were employed by the board of police  
129 commissioners and retire from the municipal  
130 police force of a city not within a county to  
131 the same extent such medical and life insurance  
132 coverage was provided by the board of police  
133 commissioners under section 84.160;

134 (3) Shall make available medical and life  
135 insurance coverage for purchase to the spouses  
136 or dependents of commissioned and civilian  
137 personnel who retire from service with the board  
138 of police commissioners or the municipal police  
139 force and deceased commissioned and civilian  
140 personnel who receive pension benefits under  
141 sections 86.200 to 86.366 at the rate that such  
142 dependent's or spouse's coverage would cost  
143 under the appropriate plan if the deceased were  
144 living; and

145 (4) May pay an additional shift  
146 differential compensation to commissioned and  
147 civilian personnel for evening and night tours  
148 of duty in an amount not to exceed ten percent  
149 of the officer's base hourly rate.

150 10. A city not within a county that  
151 establishes a municipal police force under  
152 sections 84.343 to 84.346 shall establish a  
153 transition committee of five members for the  
154 purpose of: coordinating and implementing the  
155 transition of authority, operations, assets, and  
156 obligations from the board of police  
157 commissioners to the city; winding down the  
158 affairs of the board; making nonbinding  
159 recommendations for the transition of the police  
160 force from the board to the city; and other  
161 related duties, if any, established by executive  
162 order of the city's mayor. Once the ordinance  
163 referenced in this section is enacted, the city  
164 shall provide written notice to the board of

165 police commissioners and the governor of the  
166 state of Missouri. Within thirty days of such  
167 notice, the mayor shall appoint three members to  
168 the committee, two of whom shall be members of a  
169 statewide law enforcement association that  
170 represents at least five thousand law  
171 enforcement officers. The remaining members of  
172 the committee shall include the police chief of  
173 the municipal police force and a person who  
174 currently or previously served as a commissioner  
175 on the board of police commissioners, who shall  
176 be appointed to the committee by the mayor of  
177 such city.]

[84.345. 1. Except as required for the  
2 board of police commissioners to conclude its  
3 affairs and pursue legal claims and defenses,  
4 upon the establishment of a municipal police  
5 force, the terms of office of the commissioners  
6 of the board of police created under sections  
7 84.020 and 84.030 shall expire, and the  
8 provisions of sections 84.010 to 84.340 shall  
9 not apply to any city not within a county or its  
10 municipal police force as of such date. The  
11 board shall continue to operate, if necessary,  
12 to wind down the board's affairs until the  
13 transfer of ownership and obligations under  
14 subsection 2 of section 84.344 has been  
15 completed. During such time, the board of  
16 police commissioners shall designate and  
17 authorize its secretary to act on behalf of the  
18 board for purposes of performing the board's  
19 duties and any other actions incident to the  
20 transfer and winding down of the board's affairs.

21 2. For any claim, lawsuit, or other action  
22 arising out of actions occurring before the date  
23 of completion of the transfer provided under  
24 subsection 2 of section 84.344, the state shall  
25 continue to provide legal representation as set  
26 forth in section 105.726, and the state legal  
27 expense fund shall continue to provide  
28 reimbursement for such claims under section  
29 105.726. This subsection applies to all claims,  
30 lawsuits, and other actions brought against any

31 commissioner, police officer, employee, agent,  
32 representative, or any individual or entity  
33 acting or purporting to act on its or their  
34 behalf.

35 3. Notwithstanding any other provision of  
36 law, rule, or regulation to the contrary, any  
37 city not within a county that establishes a  
38 municipal police force under sections 84.343 to  
39 84.346 shall not be restricted or limited in any  
40 way in the selection of a police chief or chief  
41 of the division created under subsection 8 of  
42 section 84.344.

43 4. It shall be the duty of the sheriff for  
44 any city not within a county, whenever called  
45 upon by the police chief of the municipal police  
46 force, to act under the police chief's control  
47 for the preservation of the public peace and  
48 quiet; and, whenever the exigency or  
49 circumstances may, in the police chief's  
50 judgment, warrant it, said police chief shall  
51 have the power to assume the control and command  
52 of all local and municipal conservators of the  
53 peace of the city, whether sheriff, constable,  
54 policemen or others, and they shall act under  
55 the orders of the said police chief and not  
56 otherwise.]

[84.346. Any police pension system created  
2 under chapter 86 for the benefit of a police  
3 force established under sections 84.010 to  
4 84.340 shall continue to be governed by chapter  
5 86, and shall apply to any police force  
6 established under section 84.343 to 84.346.  
7 Other than any provision that makes chapter 86  
8 applicable to a municipal police force  
9 established under section 84.343 to 84.346,  
10 nothing in sections 84.343 to 84.346 shall be  
11 construed as limiting or changing the rights or  
12 benefits provided under chapter 86.]

[84.347. Notwithstanding the provisions of  
2 section 1.140 to the contrary, the provisions of  
3 sections 84.343 to 84.346 shall be  
4 nonseverable. If any provision of sections  
5 84.343 to 84.346 is for any reason held to be

6       invalid, such decision shall invalidate all of  
7       the remaining provisions of this act.]

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