

FIRST REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NOS. 302 & 228

99TH GENERAL ASSEMBLY

0056H.09P

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 650, RSMo, by adding thereto two new sections relating to law enforcement officers, with a penalty provision.

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

Section A. Chapter 650, RSMo, is amended by adding thereto two new sections, to be known as sections 650.520 and 650.522, to read as follows:

650.520. 1. There is hereby created a statewide program called the "Blue Alert System" referred to in this section as the "system" to aid in the identification, location, and apprehension of any individual or individuals suspected of killing or seriously wounding any local, state, or federal law enforcement officer.

2. For the purposes of this section, "law enforcement officer" means any public servant having both the power and duty to make arrests for violations of the laws of this state, and federal law enforcement officers authorized to carry firearms and to make arrests for violations of the laws of the United States.

3. The department of public safety shall develop regions to provide the system. The department of public safety shall coordinate local law enforcement agencies and public commercial television and radio broadcasters to provide an effective system. In the event that a local law enforcement agency opts not to set up a system and a killing or serious wounding of a law enforcement officer occurs within the jurisdiction, it shall notify the department of public safety who will notify local media in the region.

4. The blue alert system shall include all state agencies capable of providing urgent and timely information to the public together with broadcasters and other private entities that volunteer to participate in the dissemination of urgent public information. At a

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.

18 **minimum, the blue alert system shall include the department of public safety, highway**
19 **patrol, department of transportation, and Missouri lottery.**

20 **5. The department of public safety shall have the authority to notify other regions**
21 **upon verification that the criteria established by the oversight committee has been met.**

22 **6. Participation in a blue alert system is entirely at the option of local law**
23 **enforcement agencies, federally licensed radio and television broadcasters, and other**
24 **private entities that volunteer to participate in the dissemination of urgent public**
25 **information.**

26 **7. Any person who knowingly makes a false report that triggers an alert under this**
27 **section is guilty of a class A misdemeanor; except that, if the false report results in serious**
28 **physical injury or death, it is a class E felony.**

650.522. 1. There is hereby created the "Blue Alert System Oversight Committee",
2 **whose primary duty shall be to develop criteria and procedures for the blue alert system**
3 **and shall be housed within the department of public safety. The committee shall regularly**
4 **review the function of the blue alert system and revise its criteria and procedures in**
5 **cooperation with the department of public safety to provide for efficient and effective**
6 **public notification. As soon as practicable, the committee shall adopt criteria and**
7 **procedures to expand the Blue alert system to provide urgent public alerts related to**
8 **homeland security, criminal acts, health emergencies, and other imminent dangers to the**
9 **public health and welfare.**

10 **2. The blue alert system oversight committee shall consist of ten members of which**
11 **seven members shall be appointed by the governor with the advice and consent of the**
12 **senate. Such members shall represent the following entities: two representatives of the**
13 **Missouri Sheriffs' Association; two representatives of the Missouri Police Chiefs**
14 **Association; one representative of small market radio broadcasters; one representative of**
15 **large market radio broadcasters; one representative of television broadcasters. The**
16 **director of the department of public safety shall also be a member of the committee and**
17 **shall serve as chair of the committee. Additional members shall include two**
18 **representatives of the highway patrol.**

19 **3. Members of the oversight committee shall serve a term of four years; except that,**
20 **members first appointed to the committee shall have staggered terms of two, three, and**
21 **four years and shall serve until their successor is duly appointed and qualified.**

22 **4. Members of the oversight committee shall serve without compensation; except**
23 **that, members shall be reimbursed for their actual and necessary expenses required for the**
24 **discharge of their duties.**

25 **5. The blue alert system oversight committee shall promulgate rules for the**
26 **implementation of the blue alert system. Any rule or portion of a rule, as that term is**
27 **defined in section 536.010, that is created under the authority delegated in this section shall**
28 **become effective only if it complies with and is subject to all of the provisions of chapter**
29 **536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and**
30 **if any of the powers vested with the general assembly pursuant to chapter 536 to review,**
31 **to delay the effective date, or to disapprove and annul a rule are subsequently held**
32 **unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted**
33 **after August 28, 2017, shall be invalid and void.**

34 **6. The "Blue Alert System Fund" is hereby created in the state treasury and shall**
35 **consist of all gifts, donations, transfers, and bequests to the fund. The provisions of section**
36 **33.080 requiring all unexpected balances remaining in various state funds to be transferred**
37 **and placed to the credit of the general revenue fund of the state at the end of each**
38 **biennium shall not apply to the blue alert system fund. Moneys in the fund shall be used**
39 **for the sole purpose of administering the blue alert system established under section**
40 **650.520.**

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