

FIRST REGULAR SESSION

# HOUSE BILL NO. 727

## 99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MATTHIESEN.

1129H.03I

D. ADAM CRUMBLISS, Chief Clerk

### AN ACT

To repeal section 167.117, RSMo, and to enact in lieu thereof one new section relating to reporting requirements of certain acts to law enforcement agencies.

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

Section A. Section 167.117, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 167.117, to read as follows:

167.117. 1. ~~[In any instance when any person is believed to have committed an act which if committed by an adult would be assault in the first, second or third degree, sexual assault, or deviate sexual assault against a pupil or school employee, while on school property, including a school bus in service on behalf of the district, or while involved in school activities, the principal shall immediately report such incident to the appropriate local law enforcement agency and to the superintendent, except in any instance when any person is believed to have committed an act which if committed by an adult would be assault in the third degree and a written agreement as to the procedure for the reporting of such incidents of third degree assault has been executed between the superintendent of the school district and the appropriate local law enforcement agency, the principal shall report such incident to the appropriate local law enforcement agency in accordance with such agreement.]~~

2. In any instance when a pupil is discovered to have on or about such pupil's person, or among such pupil's possessions, or placed elsewhere on the school premises, including but not limited to the school playground or the school parking lot, on a school bus or at a school activity whether on or off of school property any controlled substance as defined in section 195.010 or any weapon as defined in subsection 6 of section 160.261 in violation of school policy, the principal shall ~~[immediately]~~ **as soon as reasonably practical** report such incident to the

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 appropriate local law enforcement agency and to the superintendent, **and in any instance when**  
19 **a teacher becomes aware that a pupil is in possession of a controlled substance or any**  
20 **weapon on school property, on any school bus in service on behalf of the school district, or**  
21 **while involved in school activities, the teacher shall as soon as reasonably practical report**  
22 **such incident to the principal.**

23         **2. In any instance when a pupil is believed to have committed an act listed in**  
24 **subdivisions (1) to (25) of subsection 2 of section 160.261 on school property, on any school**  
25 **bus in service on behalf of the school district, or while involved in school activities, the**  
26 **principal shall as soon as reasonably practical report such incident to the appropriate law**  
27 **enforcement agency and to the superintendent, and in any instance when a teacher**  
28 **becomes aware that a pupil has committed an act listed in subdivisions (1) to (25) of**  
29 **subsection 2 of section 160.261 on school property, on any school bus in service on behalf**  
30 **of the school district, or while involved in school activities, the teacher shall as soon as**  
31 **reasonably practical report such incident to the principal.**

32         ~~3. [In any instance when a teacher becomes aware of an assault as set forth in subsection~~  
33 ~~1 of this section or finds a pupil in possession of a weapon or controlled substances as set forth~~  
34 ~~in subsection 2 of this section, the teacher shall immediately report such incident to the principal.~~

35         ~~4.]~~ A school employee, superintendent, or such person's designee who in good faith  
36 provides information to law enforcement or juvenile authorities pursuant to this section or  
37 section 160.261 **or provides information to law enforcement or juvenile authorities**  
38 **regarding an instance in which a pupil is believed to have committed an act which, if**  
39 **committed by an adult, would be assault in the third degree as defined in section 565.054**  
40 **or assault in the fourth degree as defined in section 565.056** shall not be civilly liable for  
41 providing such information.

42         ~~[5-]~~ **4.** Any school official responsible for reporting pursuant to this section or section  
43 160.261 who willfully neglects or refuses to perform this duty shall be subject to the penalty  
44 established pursuant to section 162.091.

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