

FIRST REGULAR SESSION

HOUSE BILL NO. 960

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES COX (Sponsor), BRUNS, ONDER, DAVIS, KRAUS,
SMITH (150), SCHOELLER, WRIGHT, GRISAMORE, CUNNINGHAM (145),
NIEVES AND RUESTMAN (Co-sponsors).

Read 1st time February 22, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

2385L.01I

AN ACT

To repeal sections 195.503 and 650.120, RSMo, and to enact in lieu thereof two new sections relating to Internet sex crimes against children, with an emergency clause.

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

Section A. Sections 195.503 and 650.120, RSMo, are repealed and two new sections
2 enacted in lieu thereof, to be known as sections 195.503 and 650.120, to read as follows:

195.503. As used in sections 195.501 to 195.511, the following terms mean:

2 (1) "Department", the department of public safety;

3 (2) "Director", the director of the department of public safety;

4 (3) "Drug laws", all laws regulating the production, sale, prescribing, manufacturing,
5 administering, transporting, having in possession, dispensing, distributing, or use of controlled
6 substances, as defined in section 195.010;

7 (4) "Multijurisdictional enforcement group", or "MEG", a combination of political
8 subdivisions established under sections 573.500 and 573.503, RSMo, section 178.653, RSMo,
9 and section 311.329, RSMo, to [enforce the drug laws of this state] **investigate and enforce**
10 **computer, Internet-based, narcotics, and drug violations.**

650.120. 1. Subject to appropriation, the department of public safety shall create a
2 program to distribute grants to multijurisdictional Internet cyber crime law enforcement task
3 forces, **multijurisdictional enforcement groups, as defined in section 195.503, RSMo, that**

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.

4 **are investigating Internet sex crimes against children**, and other law enforcement agencies.
5 **Not more than three percent of the money appropriated may be used by the department**
6 **to pay the administrative costs of the grant program.** The grants shall be awarded and used
7 to pay the salaries of detectives and computer forensic personnel whose focus is investigating
8 Internet sex crimes against children, including but not limited to enticement of a child,
9 possession or promotion of child pornography, [and to] provide funding for the training of law
10 enforcement personnel, **and purchase necessary equipment.** The funding for such training may
11 be used to cover the travel expenses of those persons participating. **The grants shall not be**
12 **awarded and used to pay any cost associated with investigating violations and enforcing**
13 **the provisions of chapter 195, RSMo.**

14 2. A panel is hereby established in the department of public safety to award grants under
15 this program and shall be comprised of the following members:

16 (1) The director of the department of public safety, or his or her designee;

17 (2) Two members shall be appointed by the director of the department of public safety
18 from a list of six nominees submitted by the Missouri Police Chiefs Association;

19 (3) Two members shall be appointed by the director of the department of public safety
20 from a list of six nominees submitted by the Missouri Sheriffs' Association;

21 (4) Two members of the state highway patrol shall be appointed by the director of the
22 department of public safety from a list of six nominees submitted by the Missouri State Troopers
23 Association;

24 (5) One member of the house of representatives who shall be appointed by the speaker
25 of the house of representatives; and

26 (6) One member of the senate who shall be appointed by the president pro tem.

27 The panel members who are appointed under subdivisions (2), (3), and (4) of this subsection
28 shall serve a four-year term ending four years from the date of expiration of the term for which
29 his or her predecessor was appointed. However, a person appointed to fill a vacancy prior to the
30 expiration of such a term shall be appointed for the remainder of the term. Such members shall
31 hold office for the term of his or her appointment and until a successor is appointed. The
32 members of the panel shall receive no additional compensation but shall be eligible for
33 reimbursement for mileage directly related to the performance of panel duties.

34 3. Local matching amounts, which may include new or existing funds or in-kind
35 resources including but not limited to equipment or personnel, are required for
36 multijurisdictional Internet cyber crime law enforcement task forces and other law enforcement
37 agencies to receive grants awarded by the panel. Such amounts shall be determined by the state
38 appropriations process or by the panel.

39 4. When awarding grants, priority should be given to newly hired detectives and
40 computer forensic personnel.

41 5. The panel shall establish minimum training standards for detectives and computer
42 forensic personnel participating in the grant program established in subsection 1 of this section.

43 6. Multijurisdictional Internet cyber crime law enforcement task forces and other law
44 enforcement agencies participating in the grant program established in subsection 1 of this
45 section shall share information and cooperate with the highway patrol and with existing Internet
46 Crimes Against Children task force programs.

47 7. The panel may make recommendations to the general assembly regarding the need for
48 additional resources or appropriations.

49 8. **The power of arrest of any peace officer who is duly authorized as a member of**
50 **a multijurisdictional Internet cyber crime law enforcement task force shall only be**
51 **exercised during the time such peace officer is an active member of such task force and**
52 **only within the scope of the investigation on which the task force is working.**
53 **Notwithstanding other provisions of law to the contrary, such task force officer shall have**
54 **the power of arrest, as limited in this subsection, anywhere in the state and shall provide**
55 **prior notification to the chief of police of the municipality in which the arrest is to take**
56 **place or the sheriff of the county if the arrest is to be made in his or her venue. If exigent**
57 **circumstances exist, such arrest may be made and notification shall be made to the chief**
58 **of police or sheriff as appropriate and as soon as practical. The chief of police or sheriff**
59 **may elect to work with the multijurisdictional Internet cyber crime law enforcement task**
60 **force at his or her option when such task force is operating within the jurisdiction of such**
61 **chief of police or sheriff.**

62 9. Under section 23.253, RSMo, of the Missouri sunset act:

63 (1) The provisions of the new program authorized under this section shall sunset
64 automatically six years after June 5, 2006, unless reauthorized by an act of the general assembly;
65 and

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

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

Section B. Because of the need to protect the citizens of this state, section A of this act
2 is deemed necessary for the immediate preservation of the public health, welfare, peace and
3 safety, and is hereby declared to be an emergency act within the meaning of the constitution, and
4 section A of this act shall be in full force and effect upon its passage and approval.

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