

FIRST REGULAR SESSION  
[TRULY AGREED TO AND FINALLY PASSED]  
CONFERENCE COMMITTEE SUBSTITUTE FOR  
SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 307**

**97TH GENERAL ASSEMBLY**

1103H.09T

2013

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**AN ACT**

To repeal sections 77.046, 78.340, 79.240, 80.420, 84.120, 84.490, 84.830, 85.551, 106.270, 174.700, 174.703, 174.706, 190.100, 321.015, 321.210, 321.322, and 544.157, RSMo, and to enact in lieu thereof twenty-two new sections relating to emergency service providers, with existing penalty provisions.

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

Section A. Sections 77.046, 78.340, 79.240, 80.420, 84.120, 84.490, 84.830, 85.551, 106.270, 174.700, 174.703, 174.706, 190.100, 321.015, 321.210, 321.322, and 544.157, RSMo, are repealed and twenty-two new sections enacted in lieu thereof, to be known as sections 67.145, 77.046, 78.340, 79.240, 80.420, 84.120, 84.490, 84.830, 85.551, 106.270, 106.273, 174.700, 174.703, 174.706, 174.709, 174.712, 190.098, 190.100, 321.015, 321.210, 321.322, and 544.157, to read as follows:

**67.145. No political subdivision of this state shall prohibit any first responder, as the term "first responder" is defined in section 192.800, from engaging in any political activity while off duty and not in uniform, being a candidate for elected or appointed public office, or holding such office unless such political activity or candidacy is otherwise prohibited by state or federal law.**

77.046. **1.** Upon the adoption of a city administrator form of government, the governing body of the city may provide that all other officers and employees of the city, except elected

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.

3 officers, shall be appointed and discharged by the city administrator, but the governing body may  
4 make reasonable rules and regulations governing the same.

5 **2. Nothing in this section shall be construed to authorize the city to remove or**  
6 **discharge any chief, as that term is defined in section 106.273.**

78.340. 1. Before entering upon the duties of their office each of said commissioners  
2 shall take and subscribe an oath, which shall be filed and kept in the office of the city clerk, to  
3 support the Constitution of the state of Missouri and to obey the laws and aim to secure and  
4 maintain an honest and efficient force free from partisan distinction or control, and to perform  
5 the duties of his office to the best of his ability.

6 **2. Nothing in this section shall be construed to authorize the commissioners to**  
7 **remove or discharge any chief, as that term is defined in section 106.273.**

79.240. 1. The mayor may, with the consent of a majority of all the members elected to  
2 the board of aldermen, remove from office, for cause shown, any elective officer of the city, such  
3 officer being first given opportunity, together with his witnesses, to be heard before the board  
4 of aldermen sitting as a board of impeachment. Any elective officer, including the mayor, may  
5 in like manner, for cause shown, be removed from office by a two-thirds vote of all members  
6 elected to the board of aldermen, independently of the mayor's approval or recommendation.  
7 The mayor may, with the consent of a majority of all the members elected to the board of  
8 aldermen, remove from office any appointive officer of the city at will, and any such appointive  
9 officer may be so removed by a two-thirds vote of all the members elected to the board of  
10 aldermen, independently of the mayor's approval or recommendation. The board of aldermen  
11 may pass ordinances regulating the manner of impeachments and removals.

12 **2. Nothing in this section shall be construed to authorize the mayor, with the**  
13 **consent of the majority of all the members elected to the board of aldermen, or the board**  
14 **of aldermen by a two-thirds vote of all its members, to remove or discharge any chief, as**  
15 **that term is defined in section 106.273.**

80.420. 1. The policemen of the town, in the discharge of their duties, shall be subject  
2 to the orders of the marshal only as chief of police; but any marshal, assistant marshal or  
3 policeman may be instantly removed from his office by the board of trustees at a regular or called  
4 meeting, for any wanton neglect of duty.

5 **2. Nothing in this section shall be construed to authorize the board of trustees to**  
6 **remove or discharge any chief, as that term is defined in section 106.273.**

84.120. 1. No person shall be appointed or employed as policeman, turnkey, or officer  
2 of police who shall have been convicted of, or against whom any indictment may be pending,  
3 for any offense, the punishment of which may be confinement in the penitentiary; nor shall any  
4 person be so appointed who is not of good character, or who is not a citizen of the United States,

5 or who is not able to read and write the English language, or who does not possess ordinary  
6 physical strength and courage. The patrolmen and turnkeys hereafter appointed shall serve while  
7 they shall faithfully perform their duties and possess mental and physical ability and be subject  
8 to removal only for cause after a hearing by the boards, who are hereby invested with the  
9 jurisdiction in the premises.

10         2. The board shall have the sole discretion whether to delegate portions of its jurisdiction  
11 to hearing officers. The board shall retain final and ultimate authority over such matters and over  
12 the person to whom the delegation may be made. In any hearing before the board under this  
13 section, the member involved may make application to the board to waive a hearing before the  
14 board and request that a hearing be held before a hearing officer.

15         3. Nothing in this section or chapter shall be construed to prohibit the board of police  
16 commissioners from delegating any task related to disciplinary matters, disciplinary hearings,  
17 or any other hearing or proceeding which could otherwise be heard by the board or concerning  
18 any determination related to whether an officer is able to perform the necessary functions of the  
19 position. Tasks related to the preceding matter may be delegated by the board to a hearing  
20 officer under the provisions of subsection 4 of this section.

21         4. (1) The hearing officer to whom a delegation has been made by the board may, at the  
22 sole discretion of the board, perform certain functions, including but not limited to the following:

- 23             (a) Presiding over a disciplinary matter from its inception through to the final hearing;  
24             (b) Preparing a report to the board of police commissioners; and  
25             (c) Making recommendations to the board of police commissioners as to the allegations  
26 and the appropriateness of the recommended discipline.

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

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

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

33             (1) The board shall establish a panel of not less than five persons, all who are to be  
34 licensed attorneys in good standing with the Missouri Bar. The composition of the panel may  
35 change from time to time at the board's discretion;

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

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

44 **6. Nothing in this section shall be construed to authorize the board of police**  
45 **commissioners to remove or discharge any chief, as that term is defined in section 106.273.**

84.490. 1. The chief of police shall serve during the pleasure of the board, **except that**  
2 **such chief shall only be removed, suspended, or demoted for cause. For purposes of this**  
3 **section, cause may include the following reasons:**

4 (a) **The chief is unable to perform his or her duties with reasonable competence or**  
5 **reasonable safety as a result of a mental condition, including alcohol or substance abuse;**

6 (b) **The chief has committed any act, while engaged in the performance of his or her**  
7 **duties, that constitutes a reckless disregard for the safety of the public or another law**  
8 **enforcement officer;**

9 (c) **The chief has caused a material fact to be misrepresented for any improper or**  
10 **unlawful purpose;**

11 (d) **The chief has acted in a manner for the sole purpose of furthering his or her**  
12 **self-interest, or in a manner inconsistent with the interests of the public or the chief's**  
13 **governing body;**

14 (e) **The chief has been found to have violated any law, statute, or ordinance which**  
15 **constitutes a felony; or**

16 (f) **The chief has been deemed insubordinate or found to be in violation of a written**  
17 **established policy, unless such claimed insubordination or violation of a written established**  
18 **policy was a violation of any federal or state law or local ordinance.**

19 2. In case the board determines to remove, **suspend**, or demote the chief of police, he  
20 shall be notified in writing. Within ten days after receipt of such notice, the chief may, in  
21 writing, file with the secretary of the board of police commissioners, demand and he shall receive  
22 a written statement of the reasons for such removal, **suspension**, or demotion, and a hearing  
23 thereon at a public meeting of the board within ten days after the chief files such notice. The  
24 chief may be suspended from office pending such hearing. The action of the board in  
25 suspending, removing or demoting the chief of police shall be final [and not subject to review  
26 by any court].

27 [2.] 3. The board may, in case of and during the absence or disability of the chief,  
28 designate a qualified police officer who shall serve as acting chief and perform the duties of the  
29 office. No man shall serve as acting chief who has not the qualifications required for the position  
30 of chief.

84.830. 1. [No person shall solicit orally, or by letter or otherwise, or shall be in any  
2 manner concerned in soliciting, any assessment, contribution, or payment for any political  
3 purpose whatsoever from any officer or employee in the service of the police department for such  
4 cities or from members of the said police board.] No officer, agent, or employee of the police  
5 department of such cities shall permit any [such] solicitation **for political purpose** in any  
6 building or room occupied for the discharge of the official duties of the said department. [No  
7 officer or employee in the service of said police department shall directly or indirectly give, pay,  
8 lend, or contribute any part of his salary or compensation or any money or other valuable thing  
9 to any person on account of, or to be applied to, the promotion of any political party, political  
10 club, or any political purpose whatever.]

11 2. No officer or employee of said department shall promote, remove, or reduce any other  
12 official or employee, or promise or threaten to do so, for withholding or refusing to make any  
13 contribution for any political party or purpose or club, or for refusal to render any political  
14 service, and shall not directly or indirectly attempt to coerce, command, or advise any other  
15 officer or employee to make any such contribution or render any such service. No officer or  
16 employee in the service of said department or member of the police board shall use his official  
17 authority or influence for the purpose of interfering with any election or any nomination for  
18 office, or affecting the result thereof. No officer or employee of such department shall [be a  
19 member or official of any committee of any political party, or be a ward committeeman or  
20 committeewoman, nor shall any such officer or employee] solicit any person to vote for or  
21 against any candidate for public office, or "poll precincts" or be connected with other political  
22 work of similar character on behalf of any political organization, party, or candidate **while on**  
23 **duty or while wearing the official uniform of the department.** All such persons shall,  
24 however, retain the right to vote as they may choose and to express their opinions on all political  
25 subjects and candidates.

26 3. No person or officer or employee of said department shall affix any sign, bumper  
27 sticker or other device to any property or vehicle under the control of said department which  
28 either supports or opposes any ballot measure or political candidate.

29 4. No question in any examination shall relate to political or religious opinions or  
30 affiliations, and no appointment, transfer, layoff, promotion, reduction, suspension, or removal  
31 shall be affected by such opinions or affiliations.

32 5. No person shall make false statement, certification, mark, rating, or report with regard  
33 to any tests, certificate, or appointment made under any provision of sections 84.350 to 84.860  
34 or in any manner commit or attempt to commit any fraud preventing the impartial execution of  
35 this section or any provision thereof.

36           6. No person shall, directly or indirectly, give, render, pay, offer, solicit, or accept any  
37 money, service, or other valuable consideration for or on account of any appointment, proposed  
38 appointment, promotion to, or any advancement in, a position in the service of the police  
39 departments of such cities.

40           7. No person shall defeat, deceive, or obstruct any person in his right to examination,  
41 eligibility, certification, appointment or promotion under sections 84.350 to 84.860, or furnish  
42 to any person any such secret information for the purpose of affecting the right or prospects of  
43 any person with respect to employment in the police departments of such cities.

44           8. Any officer or any employee of the police department of such cities who shall be  
45 found by the board to have violated any of the provisions of this section shall be discharged  
46 forthwith from said service. It shall be the duty of the chief of police to prefer charges against  
47 any such offending person at once. Any member of the board or of the common council of such  
48 cities may bring suit to restrain payment of compensation to any such offending officer or  
49 employee and, as an additional remedy, any such member of the board or of the common council  
50 of such cities may also apply to the circuit court for a writ of mandamus to compel the dismissal  
51 of such offending officer or employee. Officers or employees discharged by such mandamus  
52 shall have no right of review before the police board. Any person dismissed or convicted under  
53 this section shall, for a period of five years, be ineligible for appointment to any position in the  
54 service of the police department of such cities or the municipal government of such cities. Any  
55 persons who shall willfully or through culpable negligence violate any of the provisions of this  
56 section may, upon conviction thereof, be punished by a fine of not less than fifty dollars and not  
57 exceeding five hundred dollars, or by imprisonment for a time not exceeding six months, or by  
58 both such fine and imprisonment.

          85.551. 1. In cities of the third class which shall not have adopted the merit system  
2 police department provided for in sections 85.541 to 85.571, the marshal shall be the chief of  
3 police, and there also may be one assistant marshal, who shall serve for a term of one year and  
4 who shall be deputy chief of police; such number of regular policemen as may be deemed  
5 necessary by the council for the good government of the city, who shall serve for terms of one  
6 year; and such number of special policemen as may be prescribed by ordinance, to serve for such  
7 time as may be prescribed by ordinance.

8           2. The manner of appointing the assistant marshal and all policemen of the city shall be  
9 prescribed by ordinance. The council shall also, by ordinance, provide for the removal of any  
10 marshal, assistant marshal or policeman guilty of misbehavior in office.

11           **3. Nothing in this section shall be construed to authorize the council to remove or**  
12 **discharge any chief, as that term is defined in section 106.273.**

          106.270. 1. If any official against whom a proceeding has been filed, as provided for in  
2 sections 106.220 to 106.290, shall be found guilty of failing personally to devote his time to the

3 performance of the duties of such office, or of any willful, corrupt or fraudulent violation or  
4 neglect of official duty, or of knowingly or willfully failing or refusing to do or perform any  
5 official act or duty which by law it is made his duty to do or perform with respect to the  
6 execution or enforcement of the criminal laws of the state, the court shall render judgment  
7 removing him from such office, and he shall not be elected or appointed to fill the vacancy  
8 thereby created, but the same shall be filled as provided by law for filling vacancies in other  
9 cases. All actions and proceedings under sections 106.220 to 106.290 shall be in the nature of  
10 civil actions, and tried as such.

11 **2. Nothing in this section shall be construed to authorize the removal or discharge**  
12 **of any chief, as that term is defined in section 106.273.**

**106.273. 1. For the purposes of this section, the following terms shall mean:**

2 **(1) "Chief", any non-elected chief law enforcement officer of any political**  
3 **subdivision;**

4 **(2) "Just cause", exists when a chief:**

5 **(a) Is unable to perform his or her duties with reasonable competence or reasonable**  
6 **safety as a result of a mental condition, including alcohol or substance abuse;**

7 **(b) Has committed any act, while engaged in the performance of his or her duties,**  
8 **that constitutes a reckless disregard for the safety of the public or another law enforcement**  
9 **officer;**

10 **(c) Has caused a material fact to be misrepresented for any improper or unlawful**  
11 **purpose;**

12 **(d) Acts in a manner for the sole purpose of furthering his or her self-interest or**  
13 **in a manner inconsistent with the interests of the public or the chief's governing body;**

14 **(e) Has been found to have violated any law, statute, or ordinance which constitutes**  
15 **a felony; or**

16 **(f) Has been deemed insubordinate or found to be in violation of a written**  
17 **established policy, unless such claimed insubordination or violation of a written established**  
18 **policy was a violation of any federal or state law or local ordinance.**

19 **2. A chief shall be subject to removal from office or employment by the appointing**  
20 **authority or the governing body of the political subdivision employing the chief if:**

21 **(1) The governing body of the political subdivision employing the chief issues a**  
22 **written notice to the chief whose removal is being sought no fewer than ten business days**  
23 **prior to the meeting at which his or her removal will be considered;**

24 **(2) The chief has been given written notice as to the governing body's intent to**  
25 **remove him or her. Such notice shall include:**

26 **(a) Charges specifying just cause for which removal is sought;**

27           **(b) A statement of facts that are alleged to constitute just cause for the chief's**  
28 **removal; and**

29           **(c) The date, time, and location of the meeting at which the chief's removal will be**  
30 **considered;**

31           **(3) The chief is given an opportunity to be heard before the governing body,**  
32 **together with any witnesses, evidence and counsel of his or her choosing; and**

33           **(4) The governing body, by two-thirds majority vote, finds just cause for removing**  
34 **the chief.**

35           **3. Upon the satisfaction of the removal procedure under subsection 2 of this section,**  
36 **the chief shall be immediately removed from his or her office, shall be relieved of all duties**  
37 **and responsibilities of said office, and shall be entitled to no further compensation or**  
38 **benefits not already earned, accrued, or agreed upon.**

39           **4. Any chief removed pursuant to subsection 3 of this section shall be issued a**  
40 **written notice of the grounds of his or her removal within fourteen calendar days of the**  
41 **removal.**

174.700. The board of regents or board of governors of any state college or university  
2 may appoint and employ as many college or university police officers as it may deem necessary  
3 to **enforce regulations established under section 174.709 and general motor vehicle laws of**  
4 **this state in accordance with section 174.712**, protect persons, property, and to preserve peace  
5 and good order only in the public buildings, properties, grounds, and other facilities and locations  
6 over which it has charge or control and to respond to emergencies or natural disasters outside of  
7 the boundaries of university property and provide services if requested by the law enforcement  
8 agency with jurisdiction.

174.703. **1.** The college or university police officers, before they enter upon their duties,  
2 shall take and subscribe an oath of office before some officer authorized to administer oaths, to  
3 faithfully and impartially discharge the duties thereof, which oath shall be filed in the office of  
4 the board, and the secretary of the board shall give each college police officer so appointed and  
5 qualified a certificate of appointment, under the seal of the board, which certificate shall  
6 empower him or her with the same authority to maintain order, preserve peace and make arrests  
7 as is now held by peace officers.

8           **2. The college or university police officers shall have the authority to enforce the**  
9 **regulations established in section 174.709 and general motor vehicle laws in accordance**  
10 **with section 174.712 on the campus as prescribed in chapter 304.** The college or university  
11 police officer may in addition expel from the public buildings, campuses, and grounds, persons  
12 violating the rules and regulations that may be prescribed by the board or others under the  
13 authority of the board.



14           **3.** Such officer or employee of the state college or university as may be designated by  
15 the board shall have immediate charge, control and supervision of police officers appointed by  
16 authority of this section. Such college or university police officers shall have satisfactorily  
17 completed before appointment a training course for police officers as prescribed by chapter 590  
18 for state peace officers or, by virtue of previous experience or training, have met the  
19 requirements of chapter 590, **and have been certified under that chapter.**

          174.706. Nothing in sections 174.700 to 174.706 shall be construed as denying the board  
2 the right to appoint guards or watchmen who shall not be given the authority and powers  
3 authorized by sections 174.700 to [174.706] **174.712.**

**174.709. 1.** For the purpose of promoting public safety, health, and general welfare  
2 and to protect life and property, the board of regents or board of governors of any state  
3 college or university may establish regulations to control vehicular traffic, including speed  
4 regulations, on any thoroughfare owned or maintained by the state college or university  
5 and located within any of its campuses. Such regulations shall be consistent with the  
6 provisions of the general motor vehicle laws of this state. Upon adoption of such  
7 regulations, the state college or university shall have the authority to place official traffic  
8 control signals, as defined in section 300.010, on campus property.

**2.** The regulations established by the board of regents or board of governors of any  
10 state college or university under subsection 1 of this section shall be codified, printed, and  
11 distributed for public use. Adequate signs displaying the speed limit shall be posted along  
12 such thoroughfares.

**3.** Violations of any regulation established under this section shall have the same  
13 effect as a violation of municipal ordinances adopted under section 304.120, with penalty  
14 provisions as provided in section 304.570. Points assessed against any person under section  
15 302.302, for a violation of this section shall be the same as provided for a violation of a  
16 county or municipal ordinance.

**4.** The provisions of this section shall apply only to moving violations.

          174.712. All motor vehicles operated upon any thoroughfare owned or maintained  
2 by the state college or university and located within any of its campuses shall be subject to  
3 the provisions of the general motor vehicle laws of this state, including chapters 301, 302,  
4 303, 304, 307, and 577. Violations shall have the same effect as though such had occurred  
5 on public roads, streets, or highways of this state.

**190.098. 1.** In order for a person to be eligible for certification by the department  
2 as a community paramedic, an individual shall:

3           **(1)** Be currently certified as a paramedic;

4           **(2)** Successfully complete or have successfully completed a community paramedic  
5 certification program from a college, university, or educational institution that has been

6 approved by the department or accredited by a national accreditation organization  
7 approved by the department; and

8 (3) Complete an application form approved by the department.

9 2. A community paramedic shall practice in accordance with protocols and  
10 supervisory standards established by the medical director. A community paramedic shall  
11 provide services of a health care plan if the plan has been developed by the patient's  
12 physician or by an advanced practice registered nurse through a collaborative practice  
13 arrangement with a physician or a physician assistant through a collaborative practice  
14 arrangement with a physician and there is no duplication of services to the patient from  
15 another provider.

16 3. Any ambulance service shall enter into a written contract to provide community  
17 paramedic services in another ambulance service area, as that term is defined in section  
18 190.100. The contract that is agreed upon may be for an indefinite period of time, as long  
19 as it includes at least a sixty-day cancellation notice by either ambulance service.

20 4. A community paramedic is subject to the provisions of sections 190.001 to  
21 190.245 and rules promulgated under sections 190.001 to 190.245.

22 5. No person shall hold himself or herself out as a community paramedic or provide  
23 the services of a community paramedic unless such person is certified by the department.

24 6. The medical director shall approve the implementation of the community  
25 paramedic program.

26 7. Any rule or portion of a rule, as that term is defined in section 536.010, that is  
27 created under the authority delegated in this section shall become effective only if it  
28 complies with and is subject to all of the provisions of chapter 536 and, if applicable,  
29 section 536.028. This section and chapter 536 are nonseverable and if any of the powers  
30 vested with the general assembly pursuant to chapter 536 to review, to delay the effective  
31 date, or to disapprove and annul a rule are subsequently held unconstitutional, then the  
32 grant of rulemaking authority and any rule proposed or adopted after August 28, 2013,  
33 shall be invalid and void.

190.100. As used in sections 190.001 to 190.245, the following words and terms mean:

2 (1) "Advanced life support (ALS)", an advanced level of care as provided to the adult  
3 and pediatric patient such as defined by national curricula, and any modifications to that curricula  
4 specified in rules adopted by the department pursuant to sections 190.001 to 190.245;

5 (2) "Ambulance", any privately or publicly owned vehicle or craft that is specially  
6 designed, constructed or modified, staffed or equipped for, and is intended or used, maintained  
7 or operated for the transportation of persons who are sick, injured, wounded or otherwise  
8 incapacitated or helpless, or who require the presence of medical equipment being used on such  
9 individuals, but the term does not include any motor vehicle specially designed, constructed or

10 converted for the regular transportation of persons who are disabled, handicapped, normally  
11 using a wheelchair, or otherwise not acutely ill, or emergency vehicles used within airports;

12 (3) "Ambulance service", a person or entity that provides emergency or nonemergency  
13 ambulance transportation and services, or both, in compliance with sections 190.001 to 190.245,  
14 and the rules promulgated by the department pursuant to sections 190.001 to 190.245;

15 (4) "Ambulance service area", a specific geographic area in which an ambulance service  
16 has been authorized to operate;

17 (5) "Basic life support (BLS)", a basic level of care, as provided to the adult and pediatric  
18 patient as defined by national curricula, and any modifications to that curricula specified in rules  
19 adopted by the department pursuant to sections 190.001 to 190.245;

20 (6) "Council", the state advisory council on emergency medical services;

21 (7) "Department", the department of health and senior services, state of Missouri;

22 (8) "Director", the director of the department of health and senior services or the  
23 director's duly authorized representative;

24 (9) "Dispatch agency", any person or organization that receives requests for emergency  
25 medical services from the public, by telephone or other means, and is responsible for dispatching  
26 emergency medical services;

27 (10) "Emergency", the sudden and, at the time, unexpected onset of a health condition  
28 that manifests itself by symptoms of sufficient severity that would lead a prudent layperson,  
29 possessing an average knowledge of health and medicine, to believe that the absence of  
30 immediate medical care could result in:

31 (a) Placing the person's health, or with respect to a pregnant woman, the health of the  
32 woman or her unborn child, in significant jeopardy;

33 (b) Serious impairment to a bodily function;

34 (c) Serious dysfunction of any bodily organ or part;

35 (d) Inadequately controlled pain;

36 (11) "Emergency medical dispatcher", a person who receives emergency calls from the  
37 public and has successfully completed an emergency medical dispatcher course, meeting or  
38 exceeding the national curriculum of the United States Department of Transportation and any  
39 modifications to such curricula specified by the department through rules adopted pursuant to  
40 sections 190.001 to 190.245;

41 (12) "Emergency medical response agency", any person that regularly provides a level  
42 of care that includes first response, basic life support or advanced life support, exclusive of  
43 patient transportation;

44 (13) "Emergency medical services for children (EMS-C) system", the arrangement of  
45 personnel, facilities and equipment for effective and coordinated delivery of pediatric emergency

46 medical services required in prevention and management of incidents which occur as a result of  
47 a medical emergency or of an injury event, natural disaster or similar situation;

48 (14) "Emergency medical services (EMS) system", the arrangement of personnel,  
49 facilities and equipment for the effective and coordinated delivery of emergency medical services  
50 required in prevention and management of incidents occurring as a result of an illness, injury,  
51 natural disaster or similar situation;

52 (15) "Emergency medical technician", a person licensed in emergency medical care in  
53 accordance with standards prescribed by sections 190.001 to 190.245, and by rules adopted by  
54 the department pursuant to sections 190.001 to 190.245;

55 (16) "Emergency medical technician-basic" or "EMT-B", a person who has successfully  
56 completed a course of instruction in basic life support as prescribed by the department and is  
57 licensed by the department in accordance with standards prescribed by sections 190.001 to  
58 190.245 and rules adopted by the department pursuant to sections 190.001 to 190.245;

59 (17) **"Emergency medical technician-community paramedic", "community  
60 paramedic", or "EMT-CP", a person who is certified as an emergency medical technician-  
61 paramedic and is certified by the department in accordance with standards prescribed in  
62 section 190.098;**

63 (18) "Emergency medical technician-intermediate" or "EMT-I", a person who has  
64 successfully completed a course of instruction in certain aspects of advanced life support care  
65 as prescribed by the department and is licensed by the department in accordance with sections  
66 190.001 to 190.245 and rules and regulations adopted by the department pursuant to sections  
67 190.001 to 190.245;

68 [(18)] (19) "Emergency medical technician-paramedic" or "EMT-P", a person who has  
69 successfully completed a course of instruction in advanced life support care as prescribed by the  
70 department and is licensed by the department in accordance with sections 190.001 to 190.245  
71 and rules adopted by the department pursuant to sections 190.001 to 190.245;

72 [(19)] (20) "Emergency services", health care items and services furnished or required  
73 to screen and stabilize an emergency which may include, but shall not be limited to, health care  
74 services that are provided in a licensed hospital's emergency facility by an appropriate provider  
75 or by an ambulance service or emergency medical response agency;

76 [(20)] (21) "First responder", a person who has successfully completed an emergency  
77 first response course meeting or exceeding the national curriculum of the United States  
78 Department of Transportation and any modifications to such curricula specified by the  
79 department through rules adopted pursuant to sections 190.001 to 190.245 and who provides  
80 emergency medical care through employment by or in association with an emergency medical  
81 response agency;

82 [(21)] **(22)** "Health care facility", a hospital, nursing home, physician's office or other  
83 fixed location at which medical and health care services are performed;

84 [(22)] **(23)** "Hospital", an establishment as defined in the hospital licensing law,  
85 subsection 2 of section 197.020, or a hospital operated by the state;

86 [(23)] **(24)** "Medical control", supervision provided by or under the direction of  
87 physicians to providers by written or verbal communications;

88 [(24)] **(25)** "Medical direction", medical guidance and supervision provided by a  
89 physician to an emergency services provider or emergency medical services system;

90 [(25)] **(26)** "Medical director", a physician licensed pursuant to chapter 334 designated  
91 by the ambulance service or emergency medical response agency and who meets criteria  
92 specified by the department by rules pursuant to sections 190.001 to 190.245;

93 [(26)] **(27)** "Memorandum of understanding", an agreement between an emergency  
94 medical response agency or dispatch agency and an ambulance service or services within whose  
95 territory the agency operates, in order to coordinate emergency medical services;

96 [(27)] **(28)** "Patient", an individual who is sick, injured, wounded, diseased, or otherwise  
97 incapacitated or helpless, or dead, excluding deceased individuals being transported from or  
98 between private or public institutions, homes or cemeteries, and individuals declared dead prior  
99 to the time an ambulance is called for assistance;

100 [(28)] **(29)** "Person", as used in these definitions and elsewhere in sections 190.001 to  
101 190.245, any individual, firm, partnership, copartnership, joint venture, association, cooperative  
102 organization, corporation, municipal or private, and whether organized for profit or not, state,  
103 county, political subdivision, state department, commission, board, bureau or fraternal  
104 organization, estate, public trust, business or common law trust, receiver, assignee for the benefit  
105 of creditors, trustee or trustee in bankruptcy, or any other service user or provider;

106 [(29)] **(30)** "Physician", a person licensed as a physician pursuant to chapter 334;

107 [(30)] **(31)** "Political subdivision", any municipality, city, county, city not within a  
108 county, ambulance district or fire protection district located in this state which provides or has  
109 authority to provide ambulance service;

110 [(31)] **(32)** "Professional organization", any organized group or association with an  
111 ongoing interest regarding emergency medical services. Such groups and associations could  
112 include those representing volunteers, labor, management, firefighters, EMT-B's, nurses,  
113 EMT-P's, physicians, communications specialists and instructors. Organizations could also  
114 represent the interests of ground ambulance services, air ambulance services, fire service  
115 organizations, law enforcement, hospitals, trauma centers, communication centers, pediatric  
116 services, labor unions and poison control services;

117 [(32)] (33) "Proof of financial responsibility", proof of ability to respond to damages for  
118 liability, on account of accidents occurring subsequent to the effective date of such proof, arising  
119 out of the ownership, maintenance or use of a motor vehicle in the financial amount set in rules  
120 promulgated by the department, but in no event less than the statutory minimum required for  
121 motor vehicles. Proof of financial responsibility shall be used as proof of self-insurance;

122 [(33)] (34) "Protocol", a predetermined, written medical care guideline, which may  
123 include standing orders;

124 [(34)] (35) "Regional EMS advisory committee", a committee formed within an  
125 emergency medical services (EMS) region to advise ambulance services, the state advisory  
126 council on EMS and the department;

127 [(35)] (36) "Specialty care transportation", the transportation of a patient requiring the  
128 services of an emergency medical technician-paramedic who has received additional training  
129 beyond the training prescribed by the department. Specialty care transportation services shall  
130 be defined in writing in the appropriate local protocols for ground and air ambulance services  
131 and approved by the local physician medical director. The protocols shall be maintained by the  
132 local ambulance service and shall define the additional training required of the emergency  
133 medical technician-paramedic;

134 [(36)] (37) "Stabilize", with respect to an emergency, the provision of such medical  
135 treatment as may be necessary to attempt to assure within reasonable medical probability that no  
136 material deterioration of an individual's medical condition is likely to result from or occur during  
137 ambulance transportation unless the likely benefits of such transportation outweigh the risks;

138 [(37)] (38) "State advisory council on emergency medical services", a committee formed  
139 to advise the department on policy affecting emergency medical service throughout the state;

140 [(38)] (39) "State EMS medical directors advisory committee", a subcommittee of the  
141 state advisory council on emergency medical services formed to advise the state advisory council  
142 on emergency medical services and the department on medical issues;

143 [(39)] (40) "STEMI" or "ST-elevation myocardial infarction", a type of heart attack in  
144 which impaired blood flow to the patient's heart muscle is evidenced by ST-segment elevation  
145 in electrocardiogram analysis, and as further defined in rules promulgated by the department  
146 under sections 190.001 to 190.250;

147 [(40)] (41) "STEMI care", includes education and prevention, emergency transport,  
148 triage, and acute care and rehabilitative services for STEMI that requires immediate medical or  
149 surgical intervention or treatment;

150 [(41)] (42) "STEMI center", a hospital that is currently designated as such by the  
151 department to care for patients with ST-segment elevation myocardial infarctions;

152 [(42)] **(43)** "Stroke", a condition of impaired blood flow to a patient's brain as defined  
153 by the department;

154 [(43)] **(44)** "Stroke care", includes emergency transport, triage, and acute intervention  
155 and other acute care services for stroke that potentially require immediate medical or surgical  
156 intervention or treatment, and may include education, primary prevention, acute intervention,  
157 acute and subacute management, prevention of complications, secondary stroke prevention, and  
158 rehabilitative services;

159 [(44)] **(45)** "Stroke center", a hospital that is currently designated as such by the  
160 department;

161 [(45)] **(46)** "Trauma", an injury to human tissues and organs resulting from the transfer  
162 of energy from the environment;

163 [(46)] **(47)** "Trauma care" includes injury prevention, triage, acute care and rehabilitative  
164 services for major single system or multisystem injuries that potentially require immediate  
165 medical or surgical intervention or treatment;

166 [(47)] **(48)** "Trauma center", a hospital that is currently designated as such by the  
167 department.

321.015. **1.** No person holding any lucrative office or employment under this state, or  
2 any political subdivision thereof as defined in section 70.120, shall hold the office of fire  
3 protection district director under this chapter. When any fire protection district director accepts  
4 any office or employment under this state or any political subdivision thereof, his office shall  
5 thereby be vacated and he shall thereafter perform no duty and receive no salary or expenses as  
6 fire protection district director.

7 **2.** This section shall not apply to:

8 **(1)** Members of the organized militia, of the reserve corps, public school employees and  
9 notaries public[, or to] ;

10 **(2)** Fire protection districts located wholly within counties of the second, third or fourth  
11 [class or] **classification;**

12 **(3)** **Fire protection districts in counties of the first classification with less than**  
13 **eighty-five thousand inhabitants;**

14 **(4)** **Fire protection districts** located within [first class] counties **of the first**  
15 **classification** not adjoining any other [first class] county[, nor shall this section apply to] **of the**  
16 **first classification;**

17 **(5)** **Fire protection districts located within** any county of the first or second [class]  
18 **classification** not having more than nine hundred thousand inhabitants which borders any three  
19 [first class] counties **of the first classification;** [nor shall this section apply to]

20 (6) Fire protection districts located within any [first class] county [without a charter form  
21 of government] **of the first classification** which adjoins both a [first class] county with a charter  
22 form of government with [at least] **more than** nine hundred **fifty** thousand inhabitants, and  
23 adjoins at least four other counties;

24 (7) **Fire protection districts located within any county of the first classification with**  
25 **more than one hundred fifty thousand but fewer than two hundred thousand inhabitants.**

26 **3. For the purposes of this section,** the term "lucrative office or employment" does not  
27 include receiving retirement benefits, compensation for expenses, or a stipend or per diem, in  
28 an amount not to exceed seventy-five dollars for each day of service, for service rendered to a  
29 fire protection district, the state or any political subdivision thereof.

321.210. On the first Tuesday in April after the expiration of at least two full calendar  
2 years from the date of the election of the first board of directors, and on the first Tuesday in April  
3 every two years thereafter, an election for members of the board of directors shall be held in the  
4 district. Nominations shall be filed at the headquarters of the fire protection district in which a  
5 majority of the district is located by paying a [ten-dollar] filing fee **up to the amount of a**  
6 **candidate for state representative as set forth under section 115.357** and filing a statement  
7 under oath that he possesses the required qualifications. The candidate receiving the most votes  
8 shall be elected. Any new member of the board shall qualify in the same manner as the members  
9 of the first board qualify.

321.322. 1. If any property located within the boundaries of a fire protection district  
2 shall be included within a city having a population of at least two thousand five hundred but not  
3 more than sixty-five thousand which is not wholly within the fire protection district and which  
4 maintains a city fire department, then upon the date of actual inclusion of the property within the  
5 city, as determined by the annexation process, the city shall within sixty days assume by contract  
6 with the fire protection district all responsibility for payment in a lump sum or in installments  
7 an amount mutually agreed upon by the fire protection district and the city for the city to cover  
8 all obligations of the fire protection district to the area included within the city, and thereupon  
9 the fire protection district shall convey to the city the title, free and clear of all liens or  
10 encumbrances of any kind or nature, any such tangible real and personal property of the fire  
11 protection district as may be agreed upon, which is located within the part of the fire protection  
12 district located within the corporate limits of the city with full power in the city to use and  
13 dispose of such tangible real and personal property as the city deems best in the public interest,  
14 and the fire protection district shall no longer levy and collect any tax upon the property included  
15 within the corporate limits of the city; except that, if the city and the fire protection district  
16 cannot mutually agree to such an arrangement, then the city shall assume responsibility for fire  
17 protection in the annexed area on or before January first of the third calendar year following the



18 actual inclusion of the property within the city, as determined by the annexation process, and  
19 furthermore the fire protection district shall not levy and collect any tax upon that property  
20 included within the corporate limits of the city after the date of inclusion of that property:

21 (1) On or before January first of the second calendar year occurring after the date on  
22 which the property was included within the city, the city shall pay to the fire protection district  
23 a fee equal to the amount of revenue which would have been generated during the previous  
24 calendar year by the fire protection district tax on the property in the area annexed which was  
25 formerly a part of the fire protection district;

26 (2) On or before January first of the third calendar year occurring after the date on which  
27 the property was included within the city, the city shall pay to the fire protection district a fee  
28 equal to four-fifths of the amount of revenue which would have been generated during the  
29 previous calendar year by the fire protection district tax on the property in the area annexed  
30 which was formerly a part of the fire protection district;

31 (3) On or before January first of the fourth calendar year occurring after the date on  
32 which the property was included within the city, the city shall pay to the fire protection district  
33 a fee equal to three-fifths of the amount of revenue which would have been generated during the  
34 previous calendar year by the fire protection district tax on the property in the area annexed  
35 which was formerly a part of the fire protection district;

36 (4) On or before January first of the fifth calendar year occurring after the date on which  
37 the property was included within the city, the city shall pay to the fire protection district a fee  
38 equal to two-fifths of the amount of revenue which would have been generated during the  
39 previous calendar year by the fire protection district tax on the property in the area annexed  
40 which was formerly a part of the fire protection district; and

41 (5) On or before January first of the sixth calendar year occurring after the date on which  
42 the property was included within the city, the city shall pay to the fire protection district a fee  
43 equal to one-fifth of the amount of revenue which would have been generated during the  
44 previous calendar year by the fire protection district tax on the property in the area annexed  
45 which was formerly a part of the fire protection district.

46 Nothing contained in this section shall prohibit the ability of a city to negotiate contracts with  
47 a fire protection district for mutually agreeable services. This section shall also apply to those  
48 fire protection districts and cities which have not reached agreement on overlapping boundaries  
49 previous to August 28, 1990. Such fire protection districts and cities shall be treated as though  
50 inclusion of the annexed area took place on December thirty-first immediately following August  
51 28, 1990.

52 2. Any property excluded from a fire protection district by reason of subsection 1 of this  
53 section shall be subject to the provisions of section 321.330.

54           3. The provisions of this section shall not apply in any county of the first class having  
55 a charter form of government and having a population of over nine hundred thousand inhabitants.

56           4. The provisions of this section shall not apply where the annexing city or town operates  
57 a city fire department and was on January 1, 2005, a city of the fourth classification with more  
58 than eight thousand nine hundred but fewer than nine thousand inhabitants and entirely  
59 surrounded by a single fire district. In such cases, the provision of fire and emergency medical  
60 services following annexation shall be governed by subsections 2 and 3 of section 72.418.

61           **5. The provisions of this section shall not apply where the annexing city or town**  
62 **operates a city fire department, is any city of the third classification with more than six**  
63 **thousand but fewer than seven thousand inhabitants and located in any county with a**  
64 **charter form of government and with more than two hundred thousand but fewer than**  
65 **three hundred fifty thousand inhabitants, and is entirely surrounded by a single fire**  
66 **protection district. In such cases, the provision of fire and emergency medical services**  
67 **following annexation shall be governed by subsections 2 and 3 of section 72.418.**

          544.157. 1. Any law enforcement officer certified pursuant to chapter 590 of any  
2 political subdivision of this state, any authorized agent of the department of conservation, any  
3 commissioned member of the Missouri capitol police, **any college or university police officer,**  
4 and any commissioned member of the Missouri state park rangers in fresh pursuit of a person  
5 who is reasonably believed by such officer to have committed a felony in this state or who has  
6 committed, or attempted to commit, in the presence of such officer or agent, any criminal offense  
7 or violation of a municipal or county ordinance, or for whom such officer holds a warrant of  
8 arrest for a criminal offense, shall have the authority to arrest and hold in custody such person  
9 anywhere in this state. Fresh pursuit may only be initiated from within the pursuing peace  
10 officer's, conservation agent's, capitol police officer's, **college or university police officer's,** or  
11 state park ranger's jurisdiction and shall be terminated once the pursuing peace officer is outside  
12 of such officer's jurisdiction and has lost contact with the person being pursued. If the offense  
13 is a traffic violation, the uniform traffic ticket shall be used as if the violator had been  
14 apprehended in the municipality or county in which the offense occurred.

15           2. If such an arrest is made in obedience to a warrant, the disposition of the prisoner shall  
16 be made as in other cases of arrest under a warrant; if the violator is served with a uniform traffic  
17 ticket, the violator shall be directed to appear before a court having jurisdiction to try the offense;  
18 if the arrest is without a warrant, the prisoner shall be taken forthwith before a judge of a court  
19 with original criminal jurisdiction in the county wherein such arrest was made or before a  
20 municipal judge thereof having original jurisdiction to try such offense, who may release the  
21 person as provided in section 544.455, conditioned upon such person's appearance before the  
22 court having jurisdiction to try the offense. The person so arrested need not be taken before a  
23 judge as herein set out if given a summons by the arresting officer.

24           3. The term "fresh pursuit", as used in this section, shall include hot or fresh pursuit as  
25 defined by the common law and also the pursuit of a person who has committed a felony or is  
26 reasonably suspected of having committed a felony in this state, or who has committed or  
27 attempted to commit in this state a criminal offense or violation of municipal or county ordinance  
28 in the presence of the arresting officer referred to in subsection 1 of this section or for whom  
29 such officer holds a warrant of arrest for a criminal offense. It shall include also the pursuit of  
30 a person suspected of having committed a supposed felony in this state, though no felony has  
31 actually been committed, if there is reasonable ground for so believing. "Fresh pursuit" as used  
32 herein shall imply instant pursuit.

33           4. A public agency electing to institute vehicular pursuits shall adopt a policy for the safe  
34 conduct of vehicular pursuits by peace officers. Such policy shall meet the following minimum  
35 standards:

- 36           (1) There shall be supervisory control of the pursuit;
- 37           (2) There shall be procedures for designating the primary pursuit vehicle and for  
38 determining the total number of vehicles to be permitted to participate at one time in the pursuit;
- 39           (3) There shall be procedures for coordinating operation with other jurisdictions; and
- 40           (4) There shall be guidelines for determining when the interests of public safety and  
41 effective law enforcement justify a vehicular pursuit and when a vehicular pursuit should not be  
42 initiated or should be terminated.



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Speaker of the House

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President Pro Tem of the Senate

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Governor