

SECOND REGULAR SESSION

HOUSE BILL NO. 1356

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE FITZPATRICK.

5160H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 41, RSMo, by adding thereto one new section relating to the unlawful detention of citizens.

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

Section A. Chapter 41, RSMo, is amended by adding thereto one new section, to be known as section 41.1015, to read as follows:

41.1015. Notwithstanding any contrary provision of law, no state agency, political subdivision, employee of such state agency or political subdivision acting in his or her official capacity, or member of the Missouri National Guard on official state duty, shall knowingly aid an agency of the armed forces of the United States in the detention of any citizen pursuant to 50 U.S.C. Section 1541 as provided by the National Defense Authorization Act for Fiscal Year 2012 or any subsequent provisions of law if such aid would knowingly place any state agency, political subdivision, employee of such state agency or political subdivision, or aforementioned member of the Missouri National Guard in violation of the United States Constitution, the Constitution of Missouri, any provision of the Revised Statutes of Missouri, any act of the General Assembly, or any state regulation. The provisions of this section shall not apply to participation by state or local law enforcement or Missouri National Guard in joint task forces, partnerships, or other similar cooperative agreements with federal law enforcement as long as they are not for the purpose of participating in such detentions under section 1021 of the National Defense Authorization Act for Fiscal Year 2012 or any subsequent provisions of law.

✓

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.