

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Bill No. 656, Page 1, In the Title, Line 3, by
2 deleting the word "firearms" and inserting in lieu thereof the words "public safety"; and
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4 Further amend said bill and page, Section A, Line 4, by inserting after all of said section and line
5 the following:
6

7 "43.500. As used in sections 43.500 to 43.543, the following terms mean:

8 (1) "Administration of criminal justice", performance of any of the following activities:
9 detection, apprehension, detention, pretrial release, post-trial release, prosecution, adjudication,
10 correctional supervision, or rehabilitation of accused persons or criminal offenders. The
11 administration of criminal justice shall include criminal identification activities and the collection,
12 storage, and dissemination of criminal history information, including fingerprint searches,
13 photographs, and other unique biometric identification;

14 (2) "Central repository", the division within the [Missouri state highway patrol] office of
15 administration responsible for compiling and disseminating complete and accurate criminal history
16 records and for compiling, maintaining, and disseminating criminal incident and arrest reports and
17 statistics;

18 (3) "Committee", criminal records and justice information advisory committee;

19 (4) "Comparable ordinance violation", a violation of an ordinance having all the essential
20 elements of a statutory felony or a class A misdemeanor;

21 (5) "Criminal history record information", information collected by criminal justice
22 agencies on individuals consisting of identifiable descriptions and notations of arrests, detentions,
23 indictments, informations, or other formal criminal charges, and any disposition arising therefrom,
24 sentencing, correctional supervision, and release;

25 (6) "Final disposition", the formal conclusion of a criminal proceeding at whatever stage it
26 occurs in the criminal justice system;

27 (7) "Missouri charge code", a unique number assigned by the office of state courts
28 administrator to an offense for tracking and grouping offenses. Beginning January 1, 2005, the
29 complete charge code shall consist of digits assigned by the office of state courts administrator, the
30 two-digit national crime information center modifiers and a single digit designating attempt,
31 accessory, or conspiracy. The only exception to the January 1, 2005, date shall be the courts that are
32 not using the statewide court automation case management pursuant to section 476.055; the
33 effective date will be as soon thereafter as economically feasible for all other courts;

34 (8) "State offense cycle number", a unique number, supplied by or approved by the Missouri
35 state highway patrol, on the state criminal fingerprint card. The offense cycle number, OCN, is used
36 to link the identity of a person, through unique biometric identification, to one or many offenses for

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1 which the person is arrested or charged. The OCN will be used to track an offense incident from the
 2 date of arrest to the final disposition when the offender exits from the criminal justice system;

3 (9) "Unique biometric identification", automated methods of recognizing and identifying an
 4 individual based on a physiological characteristic. Biometric identification methods may include
 5 but are not limited to facial recognition, fingerprints, palm prints, hand geometry, iris recognition,
 6 and retinal scan.

7 43.505. 1. The [department of public safety] office of administration is hereby
 8 designated as the central repository for the collection, maintenance, analysis and reporting of crime
 9 incident activity generated by law enforcement agencies in this state. The [department] office of
 10 administration shall develop and operate a uniform crime reporting system that is compatible with
 11 the national uniform crime reporting system operated by the Federal Bureau of Investigation.

12 2. The [department of public safety] office of administration shall:

13 (1) Develop, operate and maintain an information system for the collection, storage,
 14 maintenance, analysis and retrieval of crime incident and arrest reports from Missouri law
 15 enforcement agencies;

16 (2) Compile the statistical data and forward such data as required to the Federal
 17 Bureau of Investigation or the appropriate Department of Justice agency in accordance with the
 18 standards and procedures of the national system;

19 (3) Provide the forms, formats, procedures, standards and related training or training
 20 assistance to all law enforcement agencies in the state as necessary for such agencies to report
 21 incident and arrest activity for timely inclusion into the statewide system;

22 (4) Annually publish a report on the nature and extent of crime and submit such
 23 report to the governor and the general assembly. Such report and other statistical reports shall be
 24 made available to state and local law enforcement agencies and the general public through an
 25 electronic or manual medium;

26 (5) Maintain the privacy and security of information in accordance with applicable
 27 state and federal laws, regulations and orders; and

28 (6) Establish such rules and regulations as are necessary for implementing the
 29 provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010,
 30 that is created under the authority delegated in this section shall become effective only if it complies
 31 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This
 32 section and chapter 536 are nonseverable and if any of the powers vested with the general assembly
 33 pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are
 34 subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or
 35 adopted after August 28, 2000, shall be invalid and void.

36 3. Every law enforcement agency in the state shall:

37 (1) Submit crime incident reports to the department of public safety on forms or in
 38 the format prescribed by the department; and

39 (2) Submit any other crime incident information which may be required by the
 40 department of public safety.

41 4. Any law enforcement agency that violates this section may be ineligible to receive
 42 state or federal funds which would otherwise be paid to such agency for law enforcement, safety or
 43 criminal justice purposes."; and

44
 45 Further amend said bill by amending the title, enacting clause, and intersectional references
 46 accordingly.