

SECOND REGULAR SESSION

# HOUSE BILL NO. 2391

## 99TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE MCCANN BEATTY.

4854H.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To amend chapter 590, RSMo, by adding thereto one new section relating to investigations of officer-involved incidents.

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

Section A. Chapter 590, RSMo, is amended by adding thereto one new section, to be  
2 known as section 590.511, to read as follows:

3 **590.511. 1. If an officer-involved death or an officer-involved shooting occurs, the**  
4 **presiding judge of the judicial circuit where such incident occurred shall appoint a special**  
5 **prosecutor to investigate the officer's actions regarding such death or shooting. The special**  
6 **prosecutor shall conduct an investigation and determine if charges are appropriate.**

7 **2. The presiding judge of the judicial circuit shall have discretion to appoint any**  
8 **attorney licensed in this state as a special prosecutor. Such special prosecutor shall possess**  
9 **all powers of a prosecuting attorney or assistant attorney general in exercising his or her**  
10 **prosecutorial duties. If such special prosecutor is a prosecutor of a county or city not**  
11 **within a county, he or she shall receive no additional compensation for serving as special**  
12 **prosecutor. If the special prosecutor is not a prosecutor of a county or city not within a**  
13 **county, he or she shall receive a reasonable fee for serving as such special prosecutor. Such**  
14 **fee shall be fixed by the judge appointing the attorney and shall be paid from the funds of**  
15 **the office of the prosecutor of the jurisdiction in which the complaint or charges are filed.**

16 **3. For the purposes of this section, the following terms mean:**

**(1) "Officer-involved death", the death of an individual that results directly from**  
**an action or omission by a law enforcement officer while the officer is on duty or while off**

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.

17 **duty but performing activities that are within the scope of his or her law enforcement duties;**  
18 **(2) "Officer-involved shooting", an incident in which an individual is injured as a**  
19 **result of a law enforcement officer discharging the officer's firearm while on duty or while**  
20 **off duty but performing activities that are within the scope of the officer's law enforcement**  
21 **duties.**

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