

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for House Bill No. 427, Page 1, Section A, Line 3, by
2 inserting after said section and line the following:

3
4 "84.344. 1. Notwithstanding any provisions of this chapter to the contrary, any city not
5 within a county may establish a municipal police force on or after July 1, 2013, according to the
6 procedures and requirements of this section. The purpose of these procedures and requirements is to
7 provide for an orderly and appropriate transition in the governance of the police force and provide
8 for an equitable employment transition for commissioned and civilian personnel.

9 2. Upon the establishment of a municipal police force by a city under sections 84.343 to
10 84.346, the board of police commissioners shall convey, assign, and otherwise transfer to the city
11 title and ownership of all indebtedness and assets, including, but not limited to, all funds and real
12 and personal property held in the name of or controlled by the board of police commissioners
13 created under sections 84.010 to 84.340. The board of police commissioners shall execute all
14 documents reasonably required to accomplish such transfer of ownership and obligations.

15 3. If the city establishes a municipal police force and completes the transfer described in
16 subsection 2 of this section, the city shall provide the necessary funds for the maintenance of the
17 municipal police force.

18 4. Before a city not within a county may establish a municipal police force under this
19 section, the city shall adopt an ordinance accepting responsibility, ownership, and liability as
20 successor-in-interest for contractual obligations, indebtedness, and other lawful obligations of the
21 board of police commissioners subject to the provisions of subsection 2 of section 84.345.

22 5. A city not within a county that establishes a municipal police force shall initially employ,
23 without a reduction in rank, salary, or benefits, all commissioned and civilian personnel of the board
24 of police commissioners created under sections 84.010 to 84.340 that were employed by the board
25 immediately prior to the date the municipal police force was established. Such commissioned
26 personnel who previously were employed by the board may only be involuntarily terminated by the
27 city not within a county for cause. The city shall also recognize all accrued years of service that
28 such commissioned and civilian personnel had with the board of police commissioners. Such
29 personnel shall be entitled to the same holidays, vacation, and sick leave they were entitled to as
30 employees of the board of police commissioners.

31 6. Commissioned and civilian personnel ~~[who were previously]~~ employed by ~~[the board]~~ a
32 city not within a county shall ~~[continue to]~~ be subject, throughout their employment for the city not
33 within a county, to a residency rule no more restrictive than a requirement of retaining a primary
34 residence in a city not within a county for a total of ~~[seven]~~ five years and of then allowing them to
35 maintain a primary residence outside the city not within a county so long as the residence is located
36 within a one-hour response time.

Action Taken _____ Date _____

1 7. The commissioned and civilian personnel who retire from service with the board of police
2 commissioners before the establishment of a municipal police force under subsection 1 of this
3 section shall continue to be entitled to the same pension benefits provided under chapter 86 and the
4 same benefits set forth in subsection 5 of this section.

5 8. If the city not within a county elects to establish a municipal police force under this
6 section, the city shall establish a separate division for the operation of its municipal police force.
7 The civil service commission of the city may adopt rules and regulations appropriate for the unique
8 operation of a police department. Such rules and regulations shall reserve exclusive authority over
9 the disciplinary process and procedures affecting commissioned officers to the civil service
10 commission; however, until such time as the city adopts such rules and regulations, the
11 commissioned personnel shall continue to be governed by the board of police commissioner's rules
12 and regulations in effect immediately prior to the establishment of the municipal police force, with
13 the police chief acting in place of the board of police commissioners for purposes of applying the
14 rules and regulations. Unless otherwise provided for, existing civil service commission rules and
15 regulations governing the appeal of disciplinary decisions to the civil service commission shall
16 apply to all commissioned and civilian personnel. The civil service commission's rules and
17 regulations shall provide that records prepared for disciplinary purposes shall be confidential, closed
18 records available solely to the civil service commission and those who possess authority to conduct
19 investigations regarding disciplinary matters pursuant to the civil service commission's rules and
20 regulations. A hearing officer shall be appointed by the civil service commission to hear any such
21 appeals that involve discipline resulting in a suspension of greater than fifteen days, demotion, or
22 termination, but the civil service commission shall make the final findings of fact, conclusions of
23 law, and decision which shall be subject to any right of appeal under chapter 536.

24 9. A city not within a county that establishes and maintains a municipal police force under
25 this section:

26 (1) Shall provide or contract for life insurance coverage and for insurance benefits providing
27 health, medical, and disability coverage for commissioned and civilian personnel of the municipal
28 police force to the same extent as was provided by the board of police commissioners under section
29 84.160;

30 (2) Shall provide or contract for medical and life insurance coverage for any commissioned
31 or civilian personnel who retired from service with the board of police commissioners or who were
32 employed by the board of police commissioners and retire from the municipal police force of a city
33 not within a county to the same extent such medical and life insurance coverage was provided by the
34 board of police commissioners under section 84.160;

35 (3) Shall make available medical and life insurance coverage for purchase to the spouses or
36 dependents of commissioned and civilian personnel who retire from service with the board of police
37 commissioners or the municipal police force and deceased commissioned and civilian personnel
38 who receive pension benefits under sections 86.200 to 86.366 at the rate that such dependent's or
39 spouse's coverage would cost under the appropriate plan if the deceased were living; and

40 (4) May pay an additional shift differential compensation to commissioned and civilian
41 personnel for evening and night tours of duty in an amount not to exceed ten percent of the officer's
42 base hourly rate.

43 10. A city not within a county that establishes a municipal police force under
44 sections 84.343 to 84.346 shall establish a transition committee of five members for the purpose of:
45 coordinating and implementing the transition of authority, operations, assets, and obligations from
46 the board of police commissioners to the city; winding down the affairs of the board; making
47 nonbinding recommendations for the transition of the police force from the board to the city; and
48 other related duties, if any, established by executive order of the city's mayor. Once the ordinance
49 referenced in this section is enacted, the city shall provide written notice to the board of police

1 commissioners and the governor of the state of Missouri. Within thirty days of such notice, the
2 mayor shall appoint three members to the committee, two of whom shall be members of a statewide
3 law enforcement association that represents at least five thousand law enforcement officers. The
4 remaining members of the committee shall include the police chief of the municipal police force and
5 a person who currently or previously served as a commissioner on the board of police
6 commissioners, who shall be appointed to the committee by the mayor of such city."; and
7

8 Further amend said bill by amending the title, enacting clause, and intersectional references
9 accordingly.