

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE BILL NO. 145
100TH GENERAL ASSEMBLY

0279H.06C

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 8.007, 8.170, 8.172, 8.177, 8.178, 190.092, 210.1014, 488.5050, 579.065, 579.068, and 590.120, RSMo, and to enact in lieu thereof fifteen new sections relating to public safety, with penalty provisions.

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

Section A. Sections 8.007, 8.170, 8.172, 8.177, 8.178, 190.092, 210.1014, 488.5050, 2 579.065, 579.068, and 590.120, RSMo, are repealed and fifteen new sections enacted in lieu 3 thereof, to be known as sections 8.007, 8.111, 8.170, 8.172, 8.177, 8.178, 190.092, 210.1014, 4 488.5050, 579.065, 579.068, 590.120, 640.142, 640.144, and 640.145, to read as follows:

8.007. 1. The commission shall:

- 2 (1) Exercise general supervision of the administration of sections 8.001 to 8.007,
3 **including employing staff and retaining such contract services as necessary for**
4 **performance of the duties and purposes of these sections;**
- 5 (2) Evaluate and approve capitol studies and improvement, expansion, renovation, and
6 restoration projects including, but not limited to, the "21st-Century State Capitol Restoration
7 Project", which includes, but is not limited to, the development and implementation of a
8 comprehensive master plan for the restoration, protection, risk management, and continuing
9 preservation of the capitol building, grounds, and any annex areas. For purposes of this section,
10 "annex areas" shall mean the building currently occupied by the Missouri department of
11 transportation located at 105 West Capitol Avenue in Jefferson City, if used to house members
12 of the general assembly or legislative support staff, or any new building constructed for such
13 purposes;

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.

14 (3) Exercise ongoing supervision and coordination of the capitol building, grounds, and
15 any annex areas;

16 (4) Evaluate and recommend courses of action on the restoration and preservation of the
17 capitol, the preservation of historical significance of the capitol and the history of the capitol;

18 (5) Evaluate and recommend courses of action to ensure accessibility to the capitol for
19 physically disabled persons;

20 (6) Advise, consult, and cooperate with the office of administration, the archives division
21 of the office of the secretary of state, the historic preservation program within the department of
22 natural resources, the division of tourism within the department of economic development and
23 the historical society of Missouri in furtherance of the purposes of sections 8.001 to 8.007;

24 (7) Be authorized to cooperate or collaborate with other state agencies and not-for-profit
25 organizations to publish books and manuals concerning the history of the capitol, its
26 improvement or restoration;

27 (8) On or before October first of each year, submit to the budget director and the general
28 assembly estimates of the requirements for appropriations for the capitol building, grounds, and
29 any annex areas for the year commencing on the following first day of July;

30 (9) Encourage, participate in, or conduct studies, investigations, and research and
31 demonstrations relating to improvement and restoration of the state capitol it may deem
32 advisable and necessary for the discharge of its duties pursuant to sections 8.001 to 8.007;

33 (10) Hold hearings, issue notices of hearings, and take testimony as the commission
34 deems necessary; and

35 (11) Initiate planning efforts, subject to the appropriation of funds, for a centennial
36 celebration of the laying of the capstone of the Missouri state capitol.

37 2. The "State Capitol Commission Fund" is hereby created in the state treasury. Any
38 moneys received from sources other than appropriation by the general assembly, including from
39 private sources, gifts, donations and grants, shall be credited to the state capitol commission fund
40 and shall be appropriated by the general assembly.

41 3. The provisions of section 33.080 to the contrary notwithstanding, moneys in the
42 second capitol commission fund shall not be transferred and placed to the credit of the general
43 revenue fund. Moneys in the state capitol commission fund shall not be appropriated for any
44 purpose other than those designated by the commission.

45 4. The commission is authorized to accept all gifts, bequests and donations from any
46 source whatsoever. The commission may also apply for and receive grants consistent with the
47 purposes of sections 8.001 to 8.007. All such gifts, bequests, donations and grants shall be used
48 or expended upon appropriation in accordance with their terms or stipulations, and the gifts,
49 bequests, donations or grants may be used or expended for the preservation, improvement,

50 expansion, renovation, restoration and improved accessibility and for promoting the historical
51 significance of the capitol.

52 5. The commission may copyright or obtain a trademark for any photograph, written
53 work, art object, or any product created of the capitol or capitol grounds. The commission may
54 grant access or use of any such works to other organizations or individuals for a fee, at its sole
55 discretion, or waive all fees. All funds obtained through licensing fees shall be credited to the
56 capitol commission fund in a manner similar to funds the commission receives as gifts,
57 donations, and grants. The funds shall be used for repairs, refurbishing, or to create art, exhibits,
58 decorations, or other beautifications or adornments to the capitol or its grounds.

**8.111. 1. There is hereby established the "Capitol Police Board" which shall be
2 composed of five members, as follows:**

3 **(1) The governor, or his or her designee;**

4 **(2) The speaker of the house of representatives, or his or her designee;**

5 **(3) The president pro tempore of the senate, or his or her designee;**

6 **(4) The chief justice of the Missouri supreme court, or his or her designee; and**

7 **(5) The chair of the state capitol commission.**

8

9 **The lieutenant governor, the chief clerk of the house of representatives, and the secretary**
10 **of the senate, or their designees, shall serve as ex officio members of the board but shall not**
11 **have the power to vote. At the first meeting of the board and at yearly intervals thereafter,**
12 **the members shall select from amongst themselves a chair, a vice chair and a secretary.**

13 **2. The board shall be assigned to the house of representatives with supervision by**
14 **the house of representatives only for budgeting and reporting. Such supervision shall not**
15 **extend to matters relating to policies, regulative functions, or appeals from activities of the**
16 **board, and no member or employee of the house of representatives shall participate in or**
17 **interfere with the activities of the board in any manner not specifically provided by law,**
18 **or at the direction of the board, and no member or employee of the house of**
19 **representatives shall interfere in any manner with any budget request of or with respect**
20 **to the withholding of any moneys appropriated to the board by the general assembly.**

21 **3. The board shall provide for public safety at the seat of government, and for the**
22 **safety and security of elected officials, government employees, and their guests as needed**
23 **outside the seat of government. The board shall hire police officers as described in section**
24 **8.177.**

25 **4. The board shall hire a chief of police who shall be certified under chapter 590**
26 **and serve subject to the supervision, and at the pleasure, of the board. The chief of police**
27 **shall:**

28 **(1) Oversee the administrative operations of the capitol police and perform such**
29 **other duties as may be delegated or assigned to the chief by law or by the board;**

30 **(2) Retain contract services as he or she deems necessary, within the limits**
31 **authorized by appropriations by the general assembly;**

32 **(3) Appoint a security detail, both inside and outside the seat of government, for**
33 **the lieutenant governor, members of the general assembly, and any other person when the**
34 **chief, speaker of the house of representatives, and the president pro tempore deem such**
35 **security detail necessary.**

36 **5. The board may promulgate rules relating to the provisions of sections 8.111 to**
37 **8.178. Any rule or portion of a rule, as that term is defined in section 536.010 that is**
38 **created under the authority delegated in this section shall become effective only if it**
39 **complies with and is subject to all of the provisions of chapter 536, and, if applicable,**
40 **section 536.028. This section and chapter 536 are nonseverable and if any of the powers**
41 **vested with the general assembly pursuant to chapter 536, to review, to delay the effective**
42 **date, or to disapprove and annul a rule are subsequently held unconstitutional, then the**
43 **grant of rulemaking authority and any rule proposed or adopted after August 28, 2019,**
44 **shall be invalid and void.**

 8.170. The ~~[director]~~ **Missouri capitol police** shall prosecute, in the name of the state,
2 for all trespasses and injuries of every kind done to the public buildings and other property, and
3 shall attend to the suits relative to the same. The attorney general shall give counsel, or
4 prosecute suits, when required by the ~~[director]~~ **chief.**

 8.172. The ~~[commissioner of administration]~~ **capitol police board** shall make rules and
2 regulations for the regulation of traffic and parking at all parking space upon the capitol grounds
3 and upon the grounds of other state buildings located within the capital city. The regulations
4 shall be enforced by the Missouri capitol police.

 8.177. 1. The ~~[director of the department of public safety]~~ **capitol police board** shall
2 employ Missouri capitol police officers for public safety at the seat of state government. Each
3 Missouri capitol police officer, upon appointment, shall take and subscribe an oath of office to
4 support the constitution and laws of the United States and the state of Missouri and shall receive
5 a certificate of appointment, a copy of which shall be filed with the secretary of state, granting
6 such police officers all the same powers of arrest held by other police officers to maintain order
7 and preserve the peace in all state-owned or leased buildings, and the grounds thereof, at the seat
8 of government and such buildings and grounds within the county which contains the seat of
9 government.

10 2. The ~~[director of the department of public safety]~~ **capitol police board** shall appoint
11 a sufficient number of Missouri capitol police officers, with available appropriations, as

12 appropriated specifically for the purpose designated in this subsection, so that the capitol grounds
 13 may be patrolled at all times, and that traffic and parking upon the capitol grounds and the
 14 grounds of other state buildings owned or leased within the capital city and the county which
 15 contains the seat of government may be properly controlled. Missouri capitol police officers may
 16 make arrests for the violation of parking and traffic regulations promulgated by the office of
 17 administration.

18 3. Missouri capitol police officers shall be authorized to arrest a person anywhere in the
 19 county that contains the state seat of government, when there is probable cause to believe the
 20 person committed a crime within capitol police jurisdiction or when a person commits a crime
 21 in the presence of an on-duty capitol police officer.

8.178. Any person who violates sections 8.172 to ~~[8.174, or section]~~ 8.177, or any of the
 2 traffic or parking regulations of the ~~[commissioner]~~ **capitol police board** shall be punished as
 3 follows:

4 (1) Fines for traffic violations shall not, except as provided by section 301.143, exceed
 5 five dollars for overparking, fifteen dollars for double parking and fifty dollars for speeding[;]
 6 ; and

7 (2) The circuit court of Cole County has authority to enforce ~~[this law]~~ **the traffic or**
 8 **parking regulations of the capitol police board.**

190.092. 1. This section shall be known and may be cited as the "Public Access to
 2 Automated External Defibrillator Act".

3 2. ~~[A person or entity who acquires an automated external defibrillator shall ensure that:~~

4 ~~—— (1) Expected defibrillator users receive training by the American Red Cross or American~~
 5 ~~Heart Association in cardiopulmonary resuscitation and the use of automated external~~
 6 ~~defibrillators, or an equivalent nationally recognized course in defibrillator use and~~
 7 ~~cardiopulmonary resuscitation;~~

8 ~~—— (2) The defibrillator is maintained and tested according to the manufacturer's operational~~
 9 ~~guidelines;~~

10 ~~—— (3) Any person who renders emergency care or treatment on a person in cardiac arrest~~
 11 ~~by using an automated external defibrillator activates the emergency medical services system as~~
 12 ~~soon as possible; and~~

13 ~~—— (4) Any person or entity that owns an automated external defibrillator that is for use~~
 14 ~~outside of a health care facility shall have a physician review and approve the clinical protocol~~
 15 ~~for the use of the defibrillator, review and advise regarding the training and skill maintenance~~
 16 ~~of the intended users of the defibrillator and assure proper review of all situations when the~~
 17 ~~defibrillator is used to render emergency care.~~

18 ~~3. Any person or entity who acquires an automated external defibrillator shall notify the~~
19 ~~emergency communications district or the ambulance dispatch center of the primary provider of~~
20 ~~emergency medical services where the automated external defibrillator is to be located.~~

21 ~~4.] A person or entity that acquires an automated external defibrillator shall do all~~
22 ~~of the following:~~

23 **(1) Comply with all regulations governing the placement of an automated external**
24 **defibrillator;**

25 **(2) Notify an agent of the local EMS agency of the existence, location, and type of**
26 **automated external defibrillator acquired;**

27 **(3) Ensure that the automated external defibrillator is maintained and tested**
28 **according to the operation and maintenance guidelines set forth by the manufacturer;**

29 **(4) Ensure that the automated external defibrillator is tested at least biannually and**
30 **after each use; and**

31 **(5) Ensure that an inspection is made of all automated external defibrillators on the**
32 **premises at least every ninety days for potential issues related to operation of the device,**
33 **including a blinking light or other obvious defect that may suggest tampering or that**
34 **another problem has arisen with the functionality of the automated external defibrillator.**

35 **3. Any person who gratuitously and in good faith renders emergency care by use of or**
36 **provision of an automated external defibrillator shall not be held liable for any civil damages or**
37 **subject to a criminal penalty** as a result of such care or treatment, unless the person acts in a
38 willful and wanton or reckless manner in providing the care, advice, or assistance. The person
39 or entity who provides ~~[appropriate]~~ training to the person using an automated external
40 defibrillator, the person or entity responsible for the site where the automated external
41 defibrillator is located, **and** the person or entity that owns the automated external defibrillator;
42 ~~the person or entity that provided clinical protocol for automated external defibrillator sites or~~
43 ~~programs, and the licensed physician who reviews and approves the clinical protocol]~~ shall
44 likewise not be held liable for civil damages **or subject to a criminal penalty** resulting from the
45 use of an automated external defibrillator. ~~[Nothing in this section shall affect any claims brought~~
46 ~~pursuant to chapter 537 or 538.~~

47 ~~5.] 4. All basic life support ambulances and stretcher vans operated in the state of~~
48 ~~Missouri shall be equipped with an automated external defibrillator and be staffed by at least one~~
49 ~~individual trained in the use of an automated external defibrillator.~~

50 ~~[6.] 5. The provisions of this section shall apply in all counties within the state and any~~
51 ~~city not within a county.~~

210.1014. 1. There is hereby created the "Amber Alert System Oversight Committee",
2 whose primary duty shall be to develop criteria and procedures for the Amber alert system and

3 shall be housed within the department of public safety. The committee shall regularly review
4 the function of the Amber alert system and revise its criteria and procedures in cooperation with
5 the department of public safety to provide for efficient and effective public notification **and meet**
6 **at least annually to discuss potential improvements to the Amber alert system.** As soon as
7 practicable, the committee shall adopt criteria and procedures to expand the Amber alert system
8 to provide urgent public alerts related to homeland security, criminal acts, health emergencies,
9 and other imminent dangers to the public health and welfare.

10 2. The Amber alert system oversight committee shall consist of ten members of which
11 seven members shall be appointed by the governor with the advice and consent of the senate.
12 Such members shall represent the following entities: two representatives of the Missouri Sheriffs'
13 Association; two representatives of the Missouri Police Chiefs Association; one representative
14 of small market radio broadcasters; one representative of large market radio broadcasters; one
15 representative of television broadcasters. The director of the department of public safety shall
16 also be a member of the committee and shall serve as chair of the committee. Additional
17 members shall include one representative of the highway patrol and one representative of the
18 department of health and senior services. **Notwithstanding the provisions of this subsection,**
19 **any Amber alert system oversight committee member, other than the director of the**
20 **department of public safety and law enforcement committee members, may alternatively**
21 **be a representative of the outdoor advertising industry, a representative of the Missouri**
22 **broadcasters association, or a representative of the public at large; except that no more**
23 **than one committee member shall be a representative of the outdoor advertising industry,**
24 **no more than one committee member shall be a representative of the Missouri broadcasters**
25 **association, and no more than one committee member shall be a representative of the**
26 **public at large.**

27 3. Members of the oversight committee shall serve a term of four years, except that
28 members first appointed to the committee shall have staggered terms of two, three, and four years
29 and shall serve until their successor is duly appointed and qualified.

30 4. Members of the oversight committee shall serve without compensation, except that
31 members shall be reimbursed for their actual and necessary expenses required for the discharge
32 of their duties.

33 5. The Amber alert system oversight committee shall promulgate rules for the
34 implementation of the Amber alert system. Any rule or portion of a rule, as that term is defined
35 in section 536.010, that is created under the authority delegated in this section shall become
36 effective only if it complies with and is subject to all of the provisions of chapter 536 and, if
37 applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the
38 powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective

39 date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of
40 rulemaking authority and any rule proposed or adopted after August 28, 2003, shall be invalid
41 and void.

42 **6. Amber alerts issued in this state may include an embedded Uniform Resource**
43 **Locator (URL) that references a resource on the internet that provides additional**
44 **information or technological capabilities.**

45 **7. (1) The provisions of this subsection shall be known and may be cited as the**
46 **"Honing Alerts Issued by Law Enforcement for Youth Safety Act", or "HAILEY'S Law".**

47 **(2) The Amber alert system shall be integrated into the Missouri uniform law**
48 **enforcement system (MULES) and the Regional Justice Information Service (REJIS) to**
49 **expedite the reporting of child abductions.**

50 **8. The Amber alert system oversight committee shall submit a report to the general**
51 **assembly on or before January 1, 2020, and annually thereafter, regarding the activities**
52 **and rules promulgated throughout the preceding year. The report shall include the**
53 **following:**

54 **(1) The changes in criteria and procedures for the Amber alert system;**

55 **(2) The Amber alert system oversight committee's review of the function of the**
56 **Amber alert system;**

57 **(3) The meeting notices and minutes;**

58 **(4) A list of members;**

59 **(5) Reimbursements; and**

60 **(6) Any new rules promulgated.**

488.5050. 1. In addition to any other surcharges authorized by statute, the clerk of each
2 court of this state shall collect the surcharges provided for in subsection 2 of this section.

3 2. A surcharge of thirty dollars shall be assessed as costs in each circuit court proceeding
4 filed within this state in all criminal cases in which the defendant is found guilty of a felony,
5 except when the defendant is found guilty of a class B felony, class A felony, or an unclassified
6 felony, under chapter ~~[495]~~ **579**, in which case, the surcharge shall be sixty dollars. A surcharge
7 of fifteen dollars shall be assessed as costs in each court proceeding filed within this state in all
8 other criminal cases, except for traffic violation cases in which the defendant is found guilty of
9 a misdemeanor.

10 3. Notwithstanding any other provisions of law, the moneys collected by clerks of the
11 courts pursuant to the provisions of subsection 1 of this section shall be collected and disbursed
12 in accordance with sections 488.010 to 488.020, and shall be payable to the state treasurer.

13 4. The state treasurer shall deposit such moneys or other gifts, grants, or moneys received
14 on a monthly basis into the "DNA Profiling Analysis Fund", which is hereby created in the state

15 treasury. The fund shall be administered by the department of public safety. The moneys
16 deposited into the DNA profiling analysis fund shall be used only by the highway patrol crime
17 lab to fulfill the purposes of the DNA profiling system pursuant to section 650.052.
18 Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the
19 fund at the end of the biennium shall not revert to the credit of the general revenue fund.

20 5. The provisions of subsections 1 and 2 of this section shall expire on August 28, ~~[2019]~~
21 **2029.**

22 579.065. 1. A person commits the offense of trafficking drugs in the first degree if,
23 except as authorized by this chapter or chapter 195, such person knowingly distributes, delivers,
24 manufactures, produces or attempts to distribute, deliver, manufacture or produce:

25 (1) More than thirty grams ~~[but less than ninety grams]~~ of a mixture or substance
26 containing a detectable amount of heroin;

27 (2) More than one hundred fifty grams ~~[but less than four hundred fifty grams]~~ of a
28 mixture or substance containing a detectable amount of coca leaves, except coca leaves and
29 extracts of coca leaves from which cocaine, ecgonine, and derivatives of ecgonine or their salts
30 have been removed; cocaine salts and their optical and geometric isomers, and salts of isomers;
31 ecgonine, its derivatives, their salts, isomers, and salts of isomers; or any compound, mixture,
32 or preparation which contains any quantity of any of the foregoing substances;

33 (3) More than eight grams ~~[but less than twenty-four grams]~~ of a mixture or substance
34 described in subdivision (2) of this subsection which contains cocaine base;

35 (4) More than five hundred milligrams ~~[but less than one gram]~~ of a mixture or substance
36 containing a detectable amount of lysergic acid diethylamide (LSD);

37 (5) More than thirty grams ~~[but less than ninety grams]~~ of a mixture or substance
38 containing a detectable amount of phencyclidine (PCP);

39 (6) More than four grams ~~[but less than twelve grams]~~ of phencyclidine;

40 (7) More than thirty kilograms ~~[but less than one hundred kilograms]~~ of a mixture or
41 substance containing marijuana;

42 (8) More than thirty grams ~~[but less than ninety grams]~~ of any material, compound,
43 mixture, or preparation containing any quantity of the following substances having a stimulant
44 effect on the central nervous system: amphetamine, its salts, optical isomers and salts of its
45 optical isomers; methamphetamine, its salts, optical isomers and salts of its optical isomers;
46 phenmetrazine and its salts; or methylphenidate; ~~[or]~~

47 (9) More than thirty grams ~~[but less than ninety grams]~~ of any material, compound,
48 mixture, or preparation which contains any quantity of 3,4-methylenedioxymethamphetamine;

49 **(10) One gram or more of flunitrazepam for the first offense;**

50 **(11) Any amount of gamma-hydroxybutyric acid for the first offense; or**

51 **(12) More than ten milligrams of fentanyl, or any derivative thereof, or any**
52 **compound, mixture, or substance containing more than ten milligrams of fentanyl,**
53 **carfentanyl, or their optical isomers or analogues.**

54 2. The offense of trafficking drugs in the first degree is a class B felony.

55 3. The offense of trafficking drugs in the first degree is a class A felony if the quantity
56 involved is:

57 (1) Ninety grams or more of a mixture or substance containing a detectable amount of
58 heroin; or

59 (2) Four hundred fifty grams or more of a mixture or substance containing a detectable
60 amount of coca leaves, except coca leaves and extracts of coca leaves from which cocaine,
61 ecgonine, and derivatives of ecgonine or their salts have been removed; cocaine salts and their
62 optical and geometric isomers, and salts of isomers; ecgonine, its derivatives, their salts, isomers,
63 and salts of isomers; or any compound, mixture, or preparation which contains any quantity of
64 any of the foregoing substances; or

65 (3) Twenty-four grams or more of a mixture or substance described in subdivision (2)
66 of this subsection which contains cocaine base; or

67 (4) One gram or more of a mixture or substance containing a detectable amount of
68 lysergic acid diethylamide (LSD); or

69 (5) Ninety grams or more of a mixture or substance containing a detectable amount of
70 phencyclidine (PCP); or

71 (6) Twelve grams or more of phencyclidine; or

72 (7) One hundred kilograms or more of a mixture or substance containing marijuana; or

73 (8) Ninety grams or more of any material, compound, mixture, or preparation containing
74 any quantity of the following substances having a stimulant effect on the central nervous system:
75 amphetamine, its salts, optical isomers and salts of its optical isomers; methamphetamine, its
76 salts, optical isomers and salts of its optical isomers; phenmetrazine and its salts; or
77 methylphenidate; or

78 (9) More than thirty grams of any material, compound, mixture, or preparation
79 containing any quantity of the following substances having a stimulant effect on the central
80 nervous system: amphetamine, its salts, optical isomers, and salts of its optical isomers;
81 methamphetamine, its salts, optical isomers, and salts of its optical isomers; phenmetrazine and
82 its salts; or methylphenidate, and the location of the offense was within two thousand feet of real
83 property comprising a public or private elementary, vocational, or secondary school, college,
84 community college, university, or any school bus, in or on the real property comprising public
85 housing or any other governmental assisted housing, or within a motor vehicle, or in any
86 structure or building which contains rooms furnished for the accommodation or lodging of

87 guests, and kept, used, maintained, advertised, or held out to the public as a place where sleeping
88 accommodations are sought for pay or compensation to transient guests or permanent guests; or

89 (10) Ninety grams or more of any material, compound, mixture or preparation which
90 contains any quantity of 3,4-methylenedioxymethamphetamine; or

91 (11) More than thirty grams of any material, compound, mixture, or preparation which
92 contains any quantity of 3,4-methylenedioxymethamphetamine and the location of the offense
93 was within two thousand feet of real property comprising a public or private elementary,
94 vocational, or secondary school, college, community college, university, or any school bus, in
95 or on the real property comprising public housing or any other governmental assisted housing,
96 within a motor vehicle, or in any structure or building which contains rooms furnished for the
97 accommodation or lodging of guests, and kept, used, maintained, advertised, or held out to the
98 public as a place where sleeping accommodations are sought for pay or compensation to transient
99 guests or permanent guests;

100 (12) **One gram or more of flunitrazepam for a second or subsequent offense;**

101 (13) **Any amount of gamma-hydroxybutyric acid for a second or subsequent**
102 **offense; or**

103 (14) **Twenty milligrams or more of fentanyl, or any derivative thereof, or any**
104 **compound, mixture, or substance containing twenty milligrams or more of fentanyl,**
105 **carfentanyl, or their optical isomers or analogues.**

579.068. 1. A person commits the offense of trafficking drugs in the second degree if,
2 except as authorized by this chapter or chapter 195, such person knowingly possesses or has
3 under his or her control, purchases or attempts to purchase, or brings into this state:

4 (1) More than thirty grams [~~but less than ninety grams~~] of a mixture or substance
5 containing a detectable amount of heroin;

6 (2) More than one hundred fifty grams [~~but less than four hundred fifty grams~~] of a
7 mixture or substance containing a detectable amount of coca leaves, except coca leaves and
8 extracts of coca leaves from which cocaine, ecgonine, and derivatives of ecgonine or their salts
9 have been removed; cocaine salts and their optical and geometric isomers, and salts of isomers;
10 ecgonine, its derivatives, their salts, isomers, and salts of isomers; or any compound, mixture,
11 or preparation which contains any quantity of any of the foregoing substances;

12 (3) More than eight grams [~~but less than twenty-four grams~~] of a mixture or substance
13 described in subdivision (2) of this subsection which contains cocaine base;

14 (4) More than five hundred milligrams [~~but less than one gram~~] of a mixture or substance
15 containing a detectable amount of lysergic acid diethylamide (LSD);

16 (5) More than thirty grams [~~but less than ninety grams~~] of a mixture or substance
17 containing a detectable amount of phencyclidine (PCP);

- 18 (6) More than four grams [~~but less than twelve grams~~] of phencyclidine;
- 19 (7) More than thirty kilograms [~~but less than one hundred kilograms~~] of a mixture or
20 substance containing marijuana;
- 21 (8) More than thirty grams [~~but less than ninety grams~~] of any material, compound,
22 mixture, or preparation containing any quantity of the following substances having a stimulant
23 effect on the central nervous system: amphetamine, its salts, optical isomers and salts of its
24 optical isomers; methamphetamine, its salts, optical isomers and salts of its optical isomers;
25 phenmetrazine and its salts; or methylphenidate; [~~or~~]
- 26 (9) More than thirty grams [~~but less than ninety grams~~] of any material, compound,
27 mixture, or preparation which contains any quantity of 3,4-methylenedioxymethamphetamine;
28 **or**
- 29 **(10) More than ten milligrams of fentanyl, or any derivative thereof, or any**
30 **compound, mixture, or substance containing more than ten milligrams of fentanyl,**
31 **carfentanyl, or their optical isomers or analogues.**
- 32 2. The offense of trafficking drugs in the second degree is a class C felony.
- 33 3. The offense of trafficking drugs in the second degree is a class B felony if the quantity
34 involved is:
- 35 (1) Ninety grams or more of a mixture or substance containing a detectable amount of
36 heroin; or
- 37 (2) Four hundred fifty grams or more of a mixture or substance containing a detectable
38 amount of coca leaves, except coca leaves and extracts of coca leaves from which cocaine,
39 ecgonine, and derivatives of ecgonine or their salts have been removed; cocaine salts and their
40 optical and geometric isomers, and salts of isomers; ecgonine, its derivatives, their salts, isomers,
41 and salts of isomers; or any compound, mixture, or preparation which contains any quantity of
42 any of the foregoing substances; or
- 43 (3) Twenty-four grams or more of a mixture or substance described in subdivision (2)
44 of this subsection which contains cocaine base; or
- 45 (4) One gram or more of a mixture or substance containing a detectable amount of
46 lysergic acid diethylamide (LSD); or
- 47 (5) Ninety grams or more of a mixture or substance containing a detectable amount of
48 phencyclidine (PCP); or
- 49 (6) Twelve grams or more of phencyclidine; or
- 50 (7) One hundred kilograms or more of a mixture or substance containing marijuana; or
- 51 (8) More than five hundred marijuana plants; or
- 52 (9) Ninety grams or more but less than four hundred fifty grams of any material,
53 compound, mixture, or preparation containing any quantity of the following substances having

54 a stimulant effect on the central nervous system: amphetamine, its salts, optical isomers and salts
55 of its optical isomers; methamphetamine, its salts, optical isomers and salts of its optical isomers;
56 phenmetrazine and its salts; or methylphenidate; or

57 (10) Ninety grams or more but less than four hundred fifty grams of any material,
58 compound, mixture, or preparation which contains any quantity of 3,4-
59 methylenedioxyamphetamine; or

60 (11) **Twenty milligrams or more of fentanyl, or any derivative thereof, or any**
61 **compound, mixture, or substance containing twenty milligrams or more of fentanyl,**
62 **carfentanyl, or their optical isomers or analogues.**

63 4. The offense of trafficking drugs in the second degree is a class A felony if the quantity
64 involved is four hundred fifty grams or more of any material, compound, mixture or preparation
65 which contains:

66 (1) Any quantity of the following substances having a stimulant effect on the central
67 nervous system: amphetamine, its salts, optical isomers and salts of its optical isomers;
68 methamphetamine, its salts, isomers and salts of its isomers; phenmetrazine and its salts; or
69 methylphenidate; or

70 (2) Any quantity of 3,4-methylenedioxyamphetamine.

71 **5. The offense of drug trafficking in the second degree is a class C felony for the**
72 **first offense and a class B felony for any second or subsequent offense for the trafficking**
73 **of less than one gram of flunitrazepam.**

590.120. 1. There is hereby established within the department of public safety a "Peace
2 Officer Standards and Training Commission" which shall be composed of eleven members,
3 including a voting public member, appointed by the governor, by and with the advice and
4 consent of the senate, from a list of qualified candidates submitted to the governor ~~by the~~
5 ~~director of the department of public safety~~. No more than two members of the POST
6 commission shall reside in the same congressional district as any other at the time of their
7 appointments but this provision shall not apply to the public member. Three members of the
8 POST commission shall be **sitting police chiefs chosen from a list of names submitted to the**
9 **governor by the Missouri Police Chief's Association board of directors**, three members shall
10 be **sitting sheriffs chosen from a list of names submitted to the governor by the Missouri**
11 **Sheriffs' Association board of directors, and the five remaining positions shall be chosen**
12 **from a list of qualified candidates submitted to the governor by the director of the**
13 **department of public safety.** One member shall represent a state law enforcement agency
14 covered by the provisions of this chapter, ~~two members~~ **one member** shall be a peace officers
15 at or below the rank of sergeant employed by a ~~political subdivision~~ **municipality, one**
16 **member shall be a peace officer at or below the rank of sergeant employed by a county, and**

17 one member shall be a chief executive officer of a certified training academy. The public
18 member shall be at the time of appointment a registered voter; a person who is not and never has
19 been a member of any profession certified or regulated under this chapter or the spouse of such
20 person; and a person who does not have and never has had a material financial interest in either
21 the providing of the professional services regulated by this chapter, or an activity or organization
22 directly related to any profession certified or regulated under this chapter. Each member of the
23 POST commission shall have been at the time of his appointment a citizen of the United States
24 and a resident of this state for a period of at least one year, and members who are peace officers
25 shall be qualified as established by this chapter. No member of the POST commission serving
26 a full term of three years may be reappointed to the POST commission until at least one year
27 after the expiration of his most recent term.

28 2. Three of the original members of the POST commission shall be appointed for terms
29 of one year, three of the original members shall be appointed for terms of two years, and three
30 of the original members shall be appointed for terms of three years. Thereafter the terms of the
31 members of the POST commission shall be for three years or until their successors are appointed.
32 The director may remove any member of the POST commission for misconduct or neglect of
33 office. Any member of the POST commission may be removed for cause by the director but
34 such member shall first be presented with a written statement of the reasons thereof, and shall
35 have a hearing before the POST commission if the member so requests. Any vacancy in the
36 membership of the commission shall be filled by appointment for the unexpired term. No two
37 members of the POST commission shall be employees of the same law enforcement agency.

38 3. Annually the ~~director~~ **POST commission members** shall appoint one of the
39 members as chairperson **by majority vote of the POST commission members**. The POST
40 commission shall meet at least twice each year as determined by the director or a majority of the
41 members to perform its duties. A majority of the members of the POST commission shall
42 constitute a quorum.

43 4. No member of the POST commission shall receive any compensation for the
44 performance of his official duties.

45 5. The POST commission shall guide and advise the director concerning duties pursuant
46 to this chapter.

**640.142. 1. Within thirty-six months of the effective date of this section, each public
2 water system shall create a plan that establishes policies and procedures for identifying and
3 mitigating cyber risk. The plan shall include risk assessments and implementation of
4 appropriate controls to mitigate identified cyber risks.**

**5 2. Public water systems that do not use an internet-connected control system are
6 exempt from the provisions of this section.**

7 **3. The provisions of this section shall not apply to cities with a population of more**
8 **than thirty thousand inhabitants, a county with a charter form of government and with**
9 **more than six hundred thousand but fewer than seven hundred thousand inhabitants, or**
10 **a county with a charter form of government and with more than nine hundred fifty**
11 **thousand inhabitants.**

640.144. 1. All public water systems shall be required to create a valve inspection
2 **program that includes:**

3 **(1) Inspection of all isolation and control valves every ten years;**

4 **(2) Scheduled repair or replacement of broken isolation and control valves; and**

5 **(3) Within five years of the effective date of this section, identification of each**
6 **isolation and control valve location using a geographic information system or an**
7 **alternative physical mapping system that accurately identifies the location of each isolation**
8 **and control valve.**

9 **2. All public water systems shall be required to create a hydrant inspection**
10 **program that includes:**

11 **(1) Annual testing of every hydrant in the public water system;**

12 **(2) Scheduled repair or replacement of broken hydrants;**

13 **(3) A plan to flush every hydrant and dead-end main;**

14 **(4) Maintenance of records of inspections, tests, and flushings for six years; and**

15 **(5) Within five years of the effective date of this section, identification of each**
16 **hydrant location using a geographic information system or an alternative physical**
17 **mapping system that accurately identifies the location of each hydrant.**

18 **3. The provisions of this section shall not apply to cities with a population of more**
19 **than thirty thousand inhabitants, a county with a charter form of government and with**
20 **more than six hundred thousand but fewer than seven hundred thousand inhabitants, or**
21 **a county with a charter form of government and with more than nine hundred fifty**
22 **thousand inhabitants.**

640.145. 1. Public water systems shall submit a report upon request of the
2 **department of natural resources that shall certify compliance with all regulations**
3 **regarding:**

4 **(1) Water quality sampling, testing, and reporting;**

5 **(2) Hydrant and valve inspections under section 640.144; and**

6 **(3) Cyber security plans and policies, if required under section 640.142.**

7 **2. The provisions of this section shall not apply to cities with a population of more**
8 **than thirty thousand inhabitants, a county with a charter form of government and with**
9 **more than six hundred thousand but fewer than seven hundred thousand inhabitants, or**

10 **a county with a charter form of government and with more than nine hundred fifty**
11 **thousand inhabitants.**

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