

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 2, Page 2, Section 491.016, Line 18, by inserting
2 after all of said line the following:

3
4 "590.653. 1. Each city, county and city not within a county may establish a civilian review board, or
5 may use an existing civilian review board which has been appointed by the local governing body, with the
6 authority to investigate allegations of misconduct by local law enforcement officers towards members of the
7 public. The members shall not receive compensation but shall receive reimbursement from the local
8 governing body for all reasonable and necessary expenses.

9 2. The board shall have the power to receive[,] and investigate[, ~~make findings and recommend~~
10 ~~disciplinary action upon~~] complaints by members of the public against members of the police department that
11 allege misconduct involving excessive use of force, abuse of authority, discourtesy, or use of offensive
12 language, including, but not limited to, slurs relating to race, ethnicity, religion, gender, sexual orientation and
13 disability. ~~[The findings and recommendations of the board, and the basis therefor, shall be submitted to the~~
14 ~~chief law enforcement official. No finding or recommendation shall be based solely upon an unsworn~~
15 ~~complaint or statement, nor shall prior unsubstantiated, unfounded or withdrawn complaints be the basis for~~
16 ~~any such findings or recommendations.]~~

17 3. In conducting an investigation under subsection 2 of this section, the board shall have the power
18 to subpoena witnesses, compel witness attendance, administer oaths, take the testimony of a person under
19 oath, and require the production of evidence, including video and audio footage and written documents.

20 4. (1) Notwithstanding any other provision of law, each city, county, and city not within a county
21 may, through an ordinance or other means consistent with local laws, give the board the power to make
22 findings and determine and administer disciplinary action in consultation with the chief law enforcement
23 official, including termination of employment, for members of the police department.

24 (2) If a city, county, or city not within a county does not give the board the power described in
25 subdivision (1) of this subsection, the board shall have the power to make findings and recommend
26 disciplinary action for members of the police department. The board shall submit its findings and
27 recommendations to the chief law enforcement official."; and

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29 Further amend said bill, Page 2, Section B, Lines 3 and 6, by inserting before the words, "section A" on each
30 line the words, "section 491.016 of"; and

31
32 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Action Taken _____ Date _____