

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee
2 Substitute for Senate Bill No. 289, Page 7, Section 590.030, Line 40, by inserting after all of said section and
3 line the following:
4

5 "590.1265. 1. The provisions of this section shall be known and may be cited as the "Police
6 Use of Force Transparency Act of 2021".

7 2. For purposes of this section, the following terms mean:

8 (1) "Law enforcement agency", the same meaning as defined in section 590.1040;

9 (2) "Peace officer", the same meaning as defined in section 590.010;

10 (3) "Serious physical injury", the same meaning as defined in section 556.061;

11 (4) "Use-of-force incident", an incident in which:

12 (a) A fatality occurs that is connected to a use of force by a peace officer;

13 (b) Serious bodily injury occurs that is connected to a use of force by a peace officer; or

14 (c) In the absence of death or serious physical injury, a peace officer discharges a firearm at, or in the
15 direction of, a person.

16 3. Starting on January 1, 2022, and at least annually thereafter, each law enforcement agency shall
17 collect and report local data on use-of-force incidents involving peace officers to the National Use of Force
18 Data Collection through the Law Enforcement Enterprise Portal administered by the Federal Bureau of
19 Investigation. Law enforcement agencies shall not include personally identifying information of individual
20 peace officers in their reports.

21 4. Each law enforcement agency shall additionally report the data submitted under subsection 3 of
22 this section to the department of public safety. Law enforcement agencies shall not include personally
23 identifying information of individual peace officers in their reports.

24 5. The department of public safety shall, no later than October 31, 2021, develop standards and
25 procedures governing the collection and reporting of use-of-force data under this section. The standards and
26 procedures shall be consistent with the requirements, definitions, and methods of the National Use of Force
27 Data Collection administered by the Federal Bureau of Investigation.

28 6. By January 30, 2023, and at least annually thereafter, the department of public safety shall publish
29 the data reported by law enforcement agencies under subsection 4 of this section, including statewide
30 aggregate data and agency-specific data, in a publicly available report on the department of public safety's
31 website. Such data shall be deemed a public record consistent with the provisions and exemptions contained
32 in chapter 610.

33 7. The department of public safety shall undertake an analysis of any trends and disparities in rates
34 of use of force by all law enforcement agencies, with a report to be released to the public no later than June
35 30, 2025. The report shall be updated periodically thereafter, but not less than once every five years."; and
36

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

Action Taken _____ Date _____