

FIRST REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 59

101ST GENERAL ASSEMBLY

0592H.03P

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapters 578 and 590, RSMo, by adding thereto two new sections relating to protection of first responders, with penalty provisions and a delayed effective date to certain sections.

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

Section A. Chapters 578 and 590, RSMo, are amended by adding thereto two new sections, to be known as sections 578.710 and 590.1265, to read as follows:

578.710. 1. For purposes of this section, the following terms mean:

(1) "First responder", any peace officer as defined in section 590.010; paid or volunteer firefighter; uniformed employee of the office of the state fire marshal; emergency medical technician; emergency room, hospital, or trauma center personnel; parole officer; probation officer; state correctional employee; water safety officer; park ranger; conservation officer; air ambulance pilot; air ambulance registered professional nurse; air ambulance registered respiratory therapist; or air ambulance flight crew member;

(2) "Personal information", the same meaning as defined in section 407.1500.

2. A person commits the offense of unlawful posting of personally identifying information over the internet if he or she knowingly posts on the internet the name, home address, Social Security number, telephone number, or other personal information of any first responder on the internet with the intent to cause great bodily harm or death to the first responder or with the intent to threaten great bodily harm or death to the first responder.

3. The offense of unlawful posting of personally identifying information over the internet is a class A misdemeanor.

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.

2 **590.1265. 1. The provisions of this section shall be known and may be cited as the**
3 **"Police Use of Force Transparency Act of 2021".**

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

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

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

7 **(3) "Use-of-force incident", an incident in which:**

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

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

11 **(c) In the absence of death or serious bodily injury, a peace officer discharges a**
12 **firearm at, or in the direction of, a person.**

13 **3. Each law enforcement agency shall, at least annually, collect and report local**
14 **data on use-of-force incidents involving peace officers to the National Use of Force Data**
15 **Collection through the Law Enforcement Enterprise Portal administered by the Federal**
16 **Bureau of Investigation.**

17 **4. Each law enforcement agency shall additionally report the data submitted under**
18 **subsection 3 of this section to the attorney general. Law enforcement agencies shall not**
19 **include personally identifying information of individual peace officers in their reports.**

20 **5. The attorney general shall, no later than June 30, 2022, develop standards and**
21 **procedures governing the collection and reporting of use-of-force data under this section.**
22 **The standards and procedures shall be consistent with the requirements, definitions, and**
23 **methods of the National Use of Force Data Collection administered by the Federal Bureau**
24 **of Investigation.**

25 **6. The attorney general shall publish the data reported by law enforcement**
26 **agencies under subsection 4 of this section, including statewide aggregate data and agency-**
27 **specific data, in a publicly available report. Such data shall be deemed a public record**
28 **consistent with the provisions and exemptions contained in chapter 610.**

29 **7. The attorney general shall undertake an analysis of any trends and disparities**
30 **in rates of use of force by all law enforcement agencies, with a report to be released to the**
31 **public no later than January 1, 2025. The report shall be updated periodically thereafter,**
32 **but not less than once every five years.**

Section B. Section 590.1265 of section A of this act shall become effective on January
2 1, 2022.

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