

# HOUSE BILL NO. 1321

## 101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE COPELAND.

2587H.02I

DANA RADEMAN MILLER, Chief Clerk

### AN ACT

To repeal section 513.651, RSMo, and to enact in lieu thereof two new sections relating to the violent crime commission.

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

Section A. Section 513.651, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 513.651 and 650.625, to read as follows:

513.651. The moneys acquired by law enforcement agencies pursuant to this section and sections 513.647 and 513.649 ~~[shall be used only by the law enforcement agency for the investigation or prosecution of criminal activity, the execution of court orders arising from such activity, the enforcement of drug-related crimes, training, drug education, and the safety of both the citizens and law enforcement officers]~~ may be deposited into the Missouri violent crime commission fund under section 650.625 to assist local law enforcement agencies with the investigation of violent criminal activity, the enforcement of laws relating to violent crime, and the training of law enforcement officers in violent crime prevention and enforcement.

650.625. 1. There is hereby established within the department of public safety the "Violent Crime Commission", which shall consist of the following members:

- (1) The director of the department of public safety, or his or her designee;
- (2) The superintendent of the Missouri state highway patrol;
- (3) A representative of a law enforcement agency, as designated by the Missouri Sheriffs' Association;
- (4) A representative of a law enforcement agency, as designated by the Missouri Police Chiefs Association;
- (5) The director of the office of prosecution services, or his or her designee;

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.

10           **(6) One member with experience as a criminal investigator, homicide detective, or**  
11 **forensic expert, as designated by the speaker of the house of representatives; and**

12           **(7) One member with experience as a criminal investigator, homicide detective, or**  
13 **forensic expert, as designated by the president pro tempore of the senate.**

14           **2. There is hereby established in the state treasury the "Violent Crime Commission**  
15 **Fund". The state treasurer shall credit to and deposit in the violent crime commission**  
16 **fund all moneys that may be appropriated to it by the general assembly, any gifts,**  
17 **contributions, grants, bequests, or other funds received from federal, private, or other**  
18 **sources, in addition to any moneys deposited under sections 513.647, 513.649, and 513.651.**  
19 **The state treasurer shall be custodian of the fund and may approve disbursements from**  
20 **the fund in accordance with sections 30.170 and 30.180. The violent crime commission, as**  
21 **established under this section, shall be the administrator of the fund. Moneys in the fund**  
22 **shall be used solely for the purposes established under this section. Notwithstanding the**  
23 **provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end**  
24 **of the biennium shall not revert to the credit of the general revenue fund. The state**  
25 **treasurer shall invest moneys in the fund in the same manner as other funds are invested.**  
26 **Any interest and moneys earned on such investments shall be credited to the fund.**

27           **3. In all criminal cases involving any violation of the traffic laws of this state,**  
28 **including infractions, there shall be assessed as costs a surcharge in the amount of one**  
29 **dollar. No such surcharge shall be collected in any proceeding involving a violation of an**  
30 **ordinance or state law when the proceeding or defendant has been dismissed by the court**  
31 **or when costs are to be paid by the state, county or municipality. Such surcharge shall be**  
32 **collected and distributed by the clerk of the court as provided in sections 488.010 to**  
33 **488.020. The surcharge collected pursuant to this subsection shall be paid to the state**  
34 **treasury to the credit of the violent crime commission fund established in this section.**

35           **4. The violent crime commission shall establish a grant program to distribute funds**  
36 **to local law enforcement agencies for the purpose of preventing, investigating, and solving**  
37 **violent crimes. Grants shall be awarded out of the violent crime commission fund as funds**  
38 **are available. Not more than three percent of the moneys in the fund shall be used to pay**  
39 **the administrative costs of the grant program. Grants shall be awarded by the violent**  
40 **crime commission based on applications filed by local law enforcement agencies. Grants**  
41 **may be used to pay the salaries of detectives, investigators, and forensic personnel; to**  
42 **provide funding for the training of law enforcement personnel; or to purchase necessary**  
43 **equipment, supplies, and services. Priority shall be given to law enforcement agencies that**  
44 **seek to use the funds for the investigation of murders.**

45           **5. Members of the violent crime commission, other than those listed under**  
46 **subdivisions (1), (2), and (5) of subsection 1 of this section, shall serve four-year terms.**  
47 **Members shall receive no additional compensation but shall be eligible for reimbursement**  
48 **for necessary expenses.**

49           **6. The violent crime commission, through the department of public safety, may**  
50 **promulgate rules and regulations necessary to effectuate the provisions of this section. Any**  
51 **rule or portion of a rule, as that term is defined in section 536.010, that is created under**  
52 **the authority delegated in this section shall become effective only if it complies with and**  
53 **is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This**  
54 **section and chapter 536 are nonseverable, and if any of the powers vested with the general**  
55 **assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove**  
56 **and annul a rule are subsequently held unconstitutional, then the grant of rulemaking**  
57 **authority and any rule proposed or adopted after August 28, 2021, shall be invalid and**  
58 **void.**

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