

FIRST REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 732

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HOSMER.

Read 1st time February 8, 2001, and 1000 copies ordered printed.

Read 2nd time February 12, 2001, and referred to the Committee on Public Safety, Law Enforcement and Veteran Affairs, February 20, 2001.

Reported from the Committee on Public Safety, Law Enforcement and Veteran Affairs, March 7, 2001, with recommendation that the bill Do Pass by Consent.

Perfectured by Consent March 22, 2001.

TED WEDEL, Chief Clerk

1792L.01P

AN ACT

To repeal section 306.165, RSMo 2000, relating to the water patrol, and to enact in lieu thereof one new section relating to the same subject, with an emergency clause.

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

Section A. Section 306.165, RSMo 2000, is repealed and one new section enacted in lieu thereof, to be known as section 306.165, to read as follows:

306.165. Each water **[patrolman]** **patrol officer** appointed by the Missouri state water patrol and each of such other employees as may be designated by the patrol, before entering upon his **or her** duties, shall take and subscribe an oath of office to perform **[his]** all duties faithfully and impartially, and shall be given a certificate of appointment, a copy of which shall be filed with the secretary of state, granting **[him]** all the powers of a peace officer to enforce all laws of this state, upon all of the following:

- (1) The waterways of this state bordering the lands set forth in subdivisions (2), (3), (4), and (5) of this section;
- (2) All federal land, where not prohibited by federal law or regulation, and state land adjoining the waterways of this state;
- (3) All land within three hundred feet of the areas in subdivision (2) of this section;

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

12 (4) All land adjoining and within six hundred feet of any waters impounded in areas not
13 covered in subdivision (2) with a shoreline in excess of four miles;

14 (5) All land adjoining and within six hundred feet of the rivers and streams of this state;

15 (6) Any other jurisdictional area, pursuant to the provisions of section 306.167.

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17 Each water [patrolman] **patrol officer** may board any watercraft at any time, with probable
18 cause, for the purpose of making any inspection necessary to determine compliance with the
19 provisions of this chapter. Each water [patrolman] **patrol officer** may arrest on view[,] and
20 without a warrant[,] any person he **or she** sees violating or who [he] **such patrol officer** has
21 reasonable grounds to believe has violated any law of this state, upon any water or land area
22 subject to his **or her** jurisdiction as provided in this section. [It is further provided that each
23 water patrolman shall be bonded in like manner and amount as sheriffs under section 57.020,
24 RSMo.] Each water [patrolman] **patrol officer** shall, within six months after receiving [his] **a**
25 certificate of appointment, satisfactorily complete a law enforcement training course including
26 six hundred hours of actual instruction conducted by a duly constituted law enforcement agency
27 or any other school approved [under] **pursuant to** chapter 590, RSMo.

Section B. Because immediate action is necessary to ensure the effectiveness of the water
2 patrol and thereby the safety of the public, section A of this act is deemed necessary for the
3 immediate preservation of the public health, welfare, peace and safety, and is hereby declared
4 to be an emergency act within the meaning of the constitution, and section A of this act shall be
5 in full force and effect upon its passage and approval.