

SECOND REGULAR SESSION

HOUSE BILL NO. 1247

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE PRATT.

Read 1st time January 5, 2006 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

3832L.01I

AN ACT

To repeal section 590.653, RSMo, and to enact in lieu thereof one new section relating to qualifications for civilian review boards, with penalty provisions.

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

Section A. Section 590.653, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 590.653, to read as follows:

590.653. 1. Each city, county and city not within a county may establish a civilian review board, or may use an existing civilian review board which has been appointed by the local governing body, with the authority to investigate allegations of misconduct by local law enforcement officers towards members of the public. The members shall not receive compensation but shall receive reimbursement from the local governing body for all reasonable and necessary expenses. **Each member, during his or her entire term, shall:**

- 7 **(1) Be at least eighteen years of age; and**
- 8 **(2) Be a registered voter residing within the city, county, or city not within a**
9 **county; and**
- 10 **(3) As a result of the criminal history background check, not have been convicted**
11 **of or pled guilty or nolo contendere to or have been found guilty of any felony, class A or**
12 **B misdemeanor, or any crime including the assault of a law enforcement officer, resisting**
13 **arrest or fleeing under the laws of the state of Missouri, of any other state, of the United**
14 **States, or of any other country, whether or not a sentence is or was imposed.**

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.

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

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