

FIRST REGULAR SESSION

HOUSE BILL NO. 886

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BAHR.

2087H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 106, RSMo, by adding thereto one new section relating to removal of department directors.

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

Section A. Chapter 106, RSMo, is amended by adding thereto one new section, to be
2 known as section 106.215, to read as follows:

3 **106.215. 1. The general assembly is hereby authorized to remove from employment**
4 **or service any department director or deputy director when it determines that such**
5 **removal is necessary for the betterment of the public service in a manner consistent with**
6 **the provisions of this section.**

7 **2. A petition signed by sixteen members of the house of representatives and filed**
8 **with the chief clerk of the house containing allegations supporting the need for removal of**
9 **the director or deputy director shall initiate the process. After the removal petition has**
10 **been filed, the chief clerk shall give a written notice to the secretary of the senate and the**
11 **director or deputy director of the intention to remove him or her from office.**

12 **3. If the requirements under subsection 2 of this section have been met the house**
13 **standing ethics committee shall gather information regarding the allegations set for in the**
14 **petition and shall conduct at least one hearing to allow the director or deputy director to**
15 **present a defense to the allegations against him or her. This hearing shall be a closed**
16 **meeting and not open to the public. Within thirty days of its first meeting, the committee**
shall file a report of its findings with the chief clerk of the house and the secretary of the
senate.

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.

17 **4. After the committee has filed its report, the members of the house of**
18 **representatives shall vote on the removal of the director or deputy director. If a majority**
19 **of the members of the body vote to remove the director or deputy director, then the senate**
20 **shall vote on the removal. If the majority of the whole number of votes of both houses is**
21 **in the affirmative, then the director or deputy director shall be relieved of his or her**
22 **employment with the state immediately and shall be removed from the position he or she**
23 **holds.**

24 **5. For the purposes of this section, “betterment of the public service” shall include**
25 **instances of misconduct, perjury before any committee of the general assembly, violation**
26 **of any state statute, a conviction or plea of guilty for committing any crime, habitual**
27 **drunkenness, willful neglect of duty, corruption in office, incompetency, or any offense**
28 **involving moral turpitude or oppression in office.**