

FIRST REGULAR SESSION

HOUSE BILL NO. 1295

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE JONES.

2436H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 590, RSMo, by adding thereto one new section relating to personnel advisory boards.

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

Section A. Chapter 590, RSMo, is amended by adding thereto one new section, to be known as section 590.652, to read as follows:

590.652. 1. Each city, county, and city not within a county may establish a personnel advisory board to hear any appeal regarding corrective or disciplinary actions against any law enforcement officer that have resulted in the demotion, suspension, or dismissal of the officer.

2. Any board established under this section shall be comprised of seven members appointed by the governing body of the city, county, or city not within a county and two alternate members to serve in the absence or disqualification of any member. The seven-member board shall designate one of its members as the chair. Five board members shall constitute a quorum for the transaction of business, and all actions of the board shall be approved by a simple majority of those present at any meeting. The members shall not receive compensation but shall receive reimbursement from the local governing body for all reasonable and necessary expenses.

3. Members of the personnel advisory board shall:

(1) Be residents and qualified registered voters of the city, county, or city not within a county;

(2) Hold no other elected public office or position in local government during their term on the board;

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.

18 **(3) Be appointed to staggered three year terms of office;**

19 **(4) Have significant and substantive knowledge of social, legislative, political, and**
20 **administrative factors affecting personnel management and employee relations; and**

21 **(5) In their deliberations and recommendations consider the best interest of**
22 **effective, efficient services to the public as well as consistent, equitable application of**
23 **applicable rules, policies, procedures, and regulations.**

24 **4. The board shall have the responsibility to review certain actions against any law**
25 **enforcement officer employed by the city, county, or city not within a county and perform**
26 **other adjudicatory and advisory duties with reference to the employment of law**
27 **enforcement officers as the local governing body may required or request. In performing**
28 **its responsibilities, the board shall hold an appellate hearing regarding any corrective or**
29 **disciplinary actions against any such law enforcement officer that has resulted in**
30 **disciplinary demotion, suspension, or dismissal of the officer. The hearing shall be a**
31 **private hearing unless the officer requests the hearing to be public, in which case the public**
32 **shall be given notice of the hearing fifteen days in advance of the time of the hearing and**
33 **such hearing shall be open to public testimony and for public viewing.**

34 **5. The findings and recommendations of the board, and the basis therefore, shall**
35 **be submitted to the local governing body. No finding or recommendation shall be based**
36 **solely upon an unsworn complaint or statement, nor shall prior unsubstantiated,**
37 **unfounded, or withdrawn complaints be the basis for any such findings or**
38 **recommendations.**

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