

SECOND REGULAR SESSION

# HOUSE BILL NO. 2081

## 96TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES MARSHALL (Sponsor), SILVEY, SCHIEBER, NANCE, HIGDON, GRISAMORE, PHILLIPS, FUHR, TORPEY, BERRY, LASATER, BRATTIN, NETH, SWEARINGEN, KELLY (24), MORGAN, ANDERS, McMANUS, McCANN BEATTY, SOLON, RIZZO, HOLSMAN, HUMMEL AND ELLINGTON (Co-sponsors).

6267L.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal section 84.830, RSMo, and to enact in lieu thereof one new section relating to prohibited activities in the Kansas City police department, with a penalty provision.

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

Section A. Section 84.830, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 84.830, to read as follows:

84.830. 1. [No person shall solicit orally, or by letter or otherwise, or shall be in any manner concerned in soliciting, any assessment, contribution, or payment for any political purpose whatsoever from any officer or employee in the service of the police department for such cities or from members of the said police board.] No officer, agent, or employee of the police department of such cities shall permit any [such] solicitation **for political purpose** in any building or room occupied for the discharge of the official duties of the said department. [No officer or employee in the service of said police department shall directly or indirectly give, pay, lend, or contribute any part of his salary or compensation or any money or other valuable thing to any person on account of, or to be applied to, the promotion of any political party, political club, or any political purpose whatever.

2.] No officer or employee of said department shall promote, remove, or reduce any other official or employee, or promise or threaten to do so, for withholding or refusing to make any contribution for any political party or purpose or club, or for refusal to render any political service, and shall not directly or indirectly attempt to coerce, command, or advise any other officer or employee to make any such contribution or render any such service. No officer or

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.

16 employee in the service of said department or member of the police board shall use his official  
17 authority or influence for the purpose of interfering with any election or any nomination for  
18 office, or affecting the result thereof. No officer or employee of such department shall [be a  
19 member or official of any committee of any political party, or be a ward committeeman or  
20 committeewoman, nor shall any such officer or employee] solicit any person to vote for or  
21 against any candidate for public office, or "poll precincts" or be connected with other political  
22 work of similar character on behalf of any political organization, party, or candidate **while on**  
23 **duty or while wearing the official uniform of the department. No officer or employee of**  
24 **such department shall be a candidate for partisan public office.** All such persons shall,  
25 however, retain the right to vote as they may choose and to express their opinions on all political  
26 subjects and candidates.

27 [3.] 2. No person or officer or employee of said department shall affix any sign, bumper  
28 sticker or other device to any property or vehicle under the control of said department which  
29 either supports or opposes any ballot measure or political candidate.

30 [4.] 3. No question in any examination shall relate to political or religious opinions or  
31 affiliations, and no appointment, transfer, layoff, promotion, reduction, suspension, or removal  
32 shall be affected by such opinions or affiliations.

33 [5.] 4. No person shall make false statement, certification, mark, rating, or report with  
34 regard to any tests, certificate, or appointment made under any provision of sections 84.350 to  
35 84.860 or in any manner commit or attempt to commit any fraud preventing the impartial  
36 execution of this section or any provision thereof.

37 [6.] 5. No person shall, directly or indirectly, give, render, pay, offer, solicit, or accept  
38 any money, service, or other valuable consideration for or on account of any appointment,  
39 proposed appointment, promotion to, or any advancement in, a position in the service of the  
40 police departments of such cities.

41 [7.] 6. No person shall defeat, deceive, or obstruct any person in his right to examination,  
42 eligibility, certification, appointment or promotion under sections 84.350 to 84.860, or furnish  
43 to any person any such secret information for the purpose of affecting the right or prospects of  
44 any person with respect to employment in the police departments of such cities.

45 [8.] 7. Any officer or any employee of the police department of such cities who shall be  
46 found by the board to have violated any of the provisions of this section shall be discharged  
47 forthwith from said service. It shall be the duty of the chief of police to prefer charges against  
48 any such offending person at once. Any member of the board or of the common council of such  
49 cities may bring suit to restrain payment of compensation to any such offending officer or  
50 employee and, as an additional remedy, any such member of the board or of the common council  
51 of such cities may also apply to the circuit court for a writ of mandamus to compel the dismissal

52 of such offending officer or employee. Officers or employees discharged by such mandamus  
53 shall have no right of review before the police board. Any person dismissed or convicted under  
54 this section shall, for a period of five years, be ineligible for appointment to any position in the  
55 service of the police department of such cities or the municipal government of such cities. Any  
56 persons who shall willfully or through culpable negligence violate any of the provisions of this  
57 section may, upon conviction thereof, be punished by a fine of not less than fifty dollars and not  
58 exceeding five hundred dollars, or by imprisonment for a time not exceeding six months, or by  
59 both such fine and imprisonment.

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