

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Bill No. 888, Page 1, In the Title, Line 3, by
2 deleting the phrase "the protection of citizens' personal information" and inserting in lieu thereof the
3 phrase "public safety"

4
5 Further amend said bill page, Section A, Line 3, by inserting after all of said section and line the
6 following:

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8 "71.1000. 1. Any law enforcement officer, employed by a municipality with a population
9 of one hundred eight thousand but not greater than one hundred fifteen thousand located in a first
10 class county with a noncharter form of government, who is not subject to a collective bargaining
11 agreement, and not subject to removal under section 43.150 or 57.275 shall be subject to removal
12 from office or employment by the governing body of the political subdivision employing the officer
13 if:

14 (1) The governing body issues a written notice to the officer whose removal is being sought
15 no fewer than ten business days prior to the meeting at which his or her removal will be considered;

16 (2) The officer has been given written notice as to the governing body's intent to remove
17 him or her. Such notice shall include:

18 (a) Charges specifying just cause for which removal is sought;

19 (b) A statement of facts that are alleged to constitute just cause for the officer's removal; and

20 (c) The date, time, and location of the meeting at which the officer's removal will be
21 considered;

22 (3) The officer is given an opportunity to be heard before the governing body, together with
23 any witnesses, evidence, and counsel of his or her choosing; and

24 (4) The governing body, by a simple majority vote, finds just cause for removing the officer.

25 2. Upon the satisfaction of the removal procedure under subsection 1 of this section, the
26 officer shall be immediately removed from office or employment, shall be relieved of all duties and
27 responsibilities of such office or employment, and shall be entitled to no further compensation or
28 benefits not already earned, accrued, or agreed upon.

29 3. Any officer removed under this section shall be issued a written notice of the grounds of
30 his or her removal within fourteen calendar days of the removal.

31 4. For the purposes of this section, the term "just cause" shall exist when a law enforcement
32 officer:

33 (1) Is unable to perform his or her duties with reasonable competence or reasonable safety
34 as a result of a mental condition, including alcohol or substance abuse;

35 (2) Has committed any act, while engaged in the performance of his or her duties, that
36 constitutes a reckless disregard for the safety of the public or another law enforcement officer;

Standing Action Taken _____ Date _____

Select Action Taken _____ Date _____

- 1 (3) Has caused a material fact to be misrepresented for any improper or unlawful purpose;
2 (4) Acts in a manner for the sole purpose of furthering his or her self-interest or in a manner
3 inconsistent with the interests of the public of the governing body;
4 (5) Has been found to have violated any law, statute, or ordinance which constitutes a
5 felony; or
6 (6) Has been deemed insubordinate by refusal to obey a lawful order."; and
7

8 Further amend said bill by amending the title, enacting clause, and intersectional references
9 accordingly.