

FIRST REGULAR SESSION

HOUSE BILL NO. 785

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HICKS.

1787H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 8.010, 8.170, 8.172, 8.177, and 8.178, RSMo, and to enact in lieu thereof six new sections relating to the capitol police board, with penalty provisions.

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

Section A. Sections 8.010, 8.170, 8.172, 8.177, and 8.178, RSMo, are repealed and six new sections enacted in lieu thereof, to be known as sections 8.010, 8.111, 8.170, 8.172, 8.177, and 8.178, to read as follows:

8.010. 1. The governor, attorney general and lieutenant governor constitute the board of public buildings. The governor is chairman and the lieutenant governor, secretary. The speaker of the house of representatives and the president pro tempore of the senate shall serve as ex officio members of the board but shall not have the power to vote. The board shall constitute a body corporate and politic. Except as provided under ~~[section]~~ **sections 8.007 and 8.111**, the board has general supervision and charge of the public property of the state at the seat of government, including the building located at 105 West Capitol Avenue in Jefferson City, and other duties imposed on it by law.

2. The commissioner of administration shall provide staff support to the board.

8.111. 1. There is hereby established the "Capitol Police Board", which shall be composed of five members, as follows:

- (1) The governor, or his or her designee;**
- (2) The speaker of the house of representatives, or his or her designee;**
- (3) The president pro tempore of the senate, or his or her designee;**
- (4) The chief justice of the Missouri supreme court, or his or her designee; and**
- (5) The chair of the state capitol commission.**

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.

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9 The lieutenant governor, the chief clerk of the house of representatives, and the secretary
10 of the senate, or their designees, shall serve as ex officio members of the board but shall not
11 have the power to vote. At the first meeting of the board and at yearly intervals thereafter,
12 the members shall select from among themselves a chair, a vice chair, and a secretary.

13 2. The board shall be assigned to the house of representatives with supervision by
14 the house of representatives only for budgeting and reporting. Such supervision shall not
15 extend to matters relating to policies, regulatory functions, or appeals from activities of the
16 board, and no member or employee of the house of representatives shall participate in or
17 interfere with the activities of the board in any manner not specifically provided by law,
18 or at the direction of the board, and no member or employee of the house of
19 representatives shall interfere in any manner with any budget request of or with respect
20 to the withholding of any moneys appropriated to the board by the general assembly.

21 3. The board shall provide for public safety at the seat of government and for the
22 safety and security of elected officials, government employees, and their guests as needed
23 outside the seat of government. The board shall hire police officers as described in section
24 8.177.

25 4. The board shall hire a chief of police, who shall be certified under chapter 590
26 and serve subject to the supervision of and at the pleasure of the board. The chief of police
27 shall be responsible for the administrative operations of the capitol police and perform
28 such other duties as may be delegated or assigned to the chief by law or by the board. The
29 chief of police shall employ staff and retain such contract services as he or she deems
30 necessary, within the limits authorized by appropriations of the general assembly.

31 5. The board may promulgate all necessary rules and regulations for the
32 administration of sections 8.111 to 8.178. Any rule or portion of a rule, as that term is
33 defined in section 536.010, that is created under the authority delegated in this section shall
34 become effective only if it complies with and is subject to all of the provisions of chapter
35 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and
36 if any of the powers vested with the general assembly pursuant to chapter 536 to review,
37 to delay the effective date, or to disapprove and annul a rule are subsequently held
38 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted
39 after August 28, 2021, shall be invalid and void.

8.170. The ~~director~~ Missouri capitol police shall prosecute, in the name of the state,
2 for all trespasses and injuries of every kind done to the public buildings and other property, and
3 shall attend to the suits relative to the same. The attorney general shall give counsel, or
4 prosecute suits, when required by the ~~director~~ chief.

8.172. The ~~[commissioner of administration]~~ **capitol police board** shall make rules and regulations for the regulation of traffic and parking at all parking space upon the capitol grounds and upon the grounds of other state buildings located within the capital city. The regulations shall be enforced by the Missouri capitol police.

8.177. 1. The ~~[director of the department of public safety]~~ **capitol police board** shall employ Missouri capitol police officers for public safety at the seat of state government. Each Missouri capitol police officer, upon appointment, shall take and subscribe an oath of office to support the constitution and laws of the United States and the state of Missouri and shall receive a certificate of appointment, a copy of which shall be filed with the secretary of state, granting such police officers all the same powers of arrest held by other police officers to maintain order and preserve the peace in all state-owned or leased buildings, and the grounds thereof, at the seat of government and such buildings and grounds within the county which contains the seat of government.

2. The ~~[director of the department of public safety]~~ **capitol police board** shall appoint a sufficient number of Missouri capitol police officers, with available appropriations, as appropriated specifically for the purpose designated in this subsection, so that the capitol grounds may be patrolled at all times, and that traffic and parking upon the capitol grounds and the grounds of other state buildings owned or leased within the capital city and the county which contains the seat of government may be properly controlled. Missouri capitol police officers may make arrests for the violation of parking and traffic regulations promulgated by the ~~[office of administration]~~ **capitol police board**.

3. Missouri capitol police officers shall be authorized to arrest a person anywhere in the county that contains the state seat of government, when there is probable cause to believe the person committed a crime within capitol police jurisdiction or when a person commits a crime in the presence of an on-duty capitol police officer.

8.178. Any person who violates sections 8.172 to 8.174, or section 8.177, or any of the traffic or parking regulations of the ~~[commissioner]~~ **capitol police board** shall be punished as follows:

(1) Fines for traffic violations shall not, except as provided by section 301.143, exceed five dollars for overparking, fifteen dollars for double parking and fifty dollars for speeding[;] ; and

(2) The circuit court of Cole County has authority to enforce ~~[this law]~~ **the traffic or parking regulations of the capitol police board**.

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