

FIRST REGULAR SESSION  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR

# HOUSE BILLS NOS. 640 & 729

102ND GENERAL ASSEMBLY

1622S.05C

KRISTINA MARTIN, Secretary

## AN ACT

To repeal sections 67.145, 70.631, 84.344, 84.480, 84.510, 105.726, 170.310, 190.091, 285.040, 287.067, 590.192, 590.653, 650.320, 650.330, and 650.340, RSMo, and to enact in lieu thereof fifteen new sections relating to first responders.

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

Section A. Sections 67.145, 70.631, 84.344, 84.480, 2 84.510, 105.726, 170.310, 190.091, 285.040, 287.067, 590.192, 3 590.653, 650.320, 650.330, and 650.340, RSMo, are repealed and 4 fifteen new sections enacted in lieu thereof, to be known as 5 sections 67.145, 70.631, 84.344, 84.480, 84.510, 105.726, 6 170.310, 190.091, 285.040, 287.067, 590.192, 590.653, 650.320, 7 650.330, and 650.340, to read as follows:

67.145. 1. No political subdivision of this state 2 shall prohibit any first responder from engaging in any 3 political activity while off duty and not in uniform, being 4 a candidate for elected or appointed public office, or 5 holding such office unless such political activity or 6 candidacy is otherwise prohibited by state or federal law.

2. As used in this section, "first responder" means 8 any person trained and authorized by law or rule to render 9 emergency medical assistance or treatment. Such persons may 10 include, but shall not be limited to, emergency first 11 responders, **telecommunicator first responders**, police

**EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

12 officers, sheriffs, deputy sheriffs, firefighters, ambulance  
13 attendants and attendant drivers, emergency medical  
14 technicians, mobile emergency medical technicians, emergency  
15 medical technician-paramedics, registered nurses, or  
16 physicians.

70.631. 1. Each political subdivision may, by  
2 majority vote of its governing body, elect to cover  
3 **[emergency telecommunicators] telecommunicator first**  
4 **responders**, jailors, and emergency medical service personnel  
5 as public safety personnel members of the system. The clerk  
6 or secretary of the political subdivision shall certify an  
7 election concerning the coverage of **[emergency**  
8 **telecommunicators] telecommunicator first responders**,  
9 jailors, and emergency medical service personnel as public  
10 safety personnel members of the system to the board within  
11 ten days after such vote. The date in which the political  
12 subdivision's election becomes effective shall be the first  
13 day of the calendar month specified by such governing body,  
14 the first day of the calendar month next following receipt  
15 by the board of the certification of the election, or the  
16 effective date of the political subdivision's becoming an  
17 employer, whichever is the latest date. Such election shall  
18 not be changed after the effective date. If the election is  
19 made, the coverage provisions shall be applicable to all  
20 past and future employment with the employer by present and  
21 future employees. If a political subdivision makes no  
22 election under this section, no **[emergency] telecommunicator**  
23 **first responder**, jailor, or emergency medical service  
24 personnel of the political subdivision shall be considered  
25 public safety personnel for purposes determining a minimum  
26 service retirement age as defined in section 70.600.

27           2. If an employer elects to cover [emergency  
28 telecommunicators] **telecommunicator first responders**,  
29 jailors, and emergency medical service personnel as public  
30 safety personnel members of the system, the employer's  
31 contributions shall be correspondingly changed effective the  
32 same date as the effective date of the political  
33 subdivision's election.

34           3. The limitation on increases in an employer's  
35 contributions provided by subsection 6 of section 70.730  
36 shall not apply to any contribution increase resulting from  
37 an employer making an election under the provisions of this  
38 section.

84.344. 1. Notwithstanding any provisions of this  
2 chapter to the contrary, any city not within a county may  
3 establish a municipal police force on or after July 1, 2013,  
4 according to the procedures and requirements of this  
5 section. The purpose of these procedures and requirements  
6 is to provide for an orderly and appropriate transition in  
7 the governance of the police force and provide for an  
8 equitable employment transition for commissioned and  
9 civilian personnel.

10           2. Upon the establishment of a municipal police force  
11 by a city under sections 84.343 to 84.346, the board of  
12 police commissioners shall convey, assign, and otherwise  
13 transfer to the city title and ownership of all indebtedness  
14 and assets, including, but not limited to, all funds and  
15 real and personal property held in the name of or controlled  
16 by the board of police commissioners created under sections  
17 84.010 to 84.340. The board of police commissioners shall  
18 execute all documents reasonably required to accomplish such  
19 transfer of ownership and obligations.

20           3. If the city establishes a municipal police force  
21 and completes the transfer described in subsection 2 of this  
22 section, the city shall provide the necessary funds for the  
23 maintenance of the municipal police force.

24           4. Before a city not within a county may establish a  
25 municipal police force under this section, the city shall  
26 adopt an ordinance accepting responsibility, ownership, and  
27 liability as successor-in-interest for contractual  
28 obligations, indebtedness, and other lawful obligations of  
29 the board of police commissioners subject to the provisions  
30 of subsection 2 of section 84.345.

31           5. A city not within a county that establishes a  
32 municipal police force shall initially employ, without a  
33 reduction in rank, salary, or benefits, all commissioned and  
34 civilian personnel of the board of police commissioners  
35 created under sections 84.010 to 84.340 that were employed  
36 by the board immediately prior to the date the municipal  
37 police force was established. Such commissioned personnel  
38 who previously were employed by the board may only be  
39 involuntarily terminated by the city not within a county for  
40 cause. The city shall also recognize all accrued years of  
41 service that such commissioned and civilian personnel had  
42 with the board of police commissioners. Such personnel  
43 shall be entitled to the same holidays, vacation, and sick  
44 leave they were entitled to as employees of the board of  
45 police commissioners.

46           6. (1) Commissioned and civilian personnel of a  
47 municipal police force established under this section who  
48 are hired prior to September 1, [2023] 2028, shall not be  
49 subject to a residency requirement of retaining a primary  
50 residence in a city not within a county but may be required

51 to maintain a primary residence located within a one-hour  
52 response time.

53 (2) Commissioned and civilian personnel of a municipal  
54 police force established under this section who are hired  
55 after August 31, [2023] **2028**, may be subject to a residency  
56 rule no more restrictive than a requirement of retaining a  
57 primary residence in a city not within a county for a total  
58 of seven years and of then allowing the personnel to  
59 maintain a primary residence outside the city not within a  
60 county so long as the primary residence is located within a  
61 one-hour response time.

62 7. The commissioned and civilian personnel who retire  
63 from service with the board of police commissioners before  
64 the establishment of a municipal police force under  
65 subsection 1 of this section shall continue to be entitled  
66 to the same pension benefits provided under chapter 86 and  
67 the same benefits set forth in subsection 5 of this section.

68 8. If the city not within a county elects to establish  
69 a municipal police force under this section, the city shall  
70 establish a separate division for the operation of its  
71 municipal police force. The civil service commission of the  
72 city may adopt rules and regulations appropriate for the  
73 unique operation of a police department. Such rules and  
74 regulations shall reserve exclusive authority over the  
75 disciplinary process and procedures affecting commissioned  
76 officers to the civil service commission; however, until  
77 such time as the city adopts such rules and regulations, the  
78 commissioned personnel shall continue to be governed by the  
79 board of police commissioner's rules and regulations in  
80 effect immediately prior to the establishment of the  
81 municipal police force, with the police chief acting in  
82 place of the board of police commissioners for purposes of

83 applying the rules and regulations. Unless otherwise  
84 provided for, existing civil service commission rules and  
85 regulations governing the appeal of disciplinary decisions  
86 to the civil service commission shall apply to all  
87 commissioned and civilian personnel. The civil service  
88 commission's rules and regulations shall provide that  
89 records prepared for disciplinary purposes shall be  
90 confidential, closed records available solely to the civil  
91 service commission and those who possess authority to  
92 conduct investigations regarding disciplinary matters  
93 pursuant to the civil service commission's rules and  
94 regulations. A hearing officer shall be appointed by the  
95 civil service commission to hear any such appeals that  
96 involve discipline resulting in a suspension of greater than  
97 fifteen days, demotion, or termination, but the civil  
98 service commission shall make the final findings of fact,  
99 conclusions of law, and decision which shall be subject to  
100 any right of appeal under chapter 536.

101 9. A city not within a county that establishes and  
102 maintains a municipal police force under this section:

103 (1) Shall provide or contract for life insurance  
104 coverage and for insurance benefits providing health,  
105 medical, and disability coverage for commissioned and  
106 civilian personnel of the municipal police force to the same  
107 extent as was provided by the board of police commissioners  
108 under section 84.160;

109 (2) Shall provide or contract for medical and life  
110 insurance coverage for any commissioned or civilian  
111 personnel who retired from service with the board of police  
112 commissioners or who were employed by the board of police  
113 commissioners and retire from the municipal police force of  
114 a city not within a county to the same extent such medical

115 and life insurance coverage was provided by the board of  
116 police commissioners under section 84.160;

117 (3) Shall make available medical and life insurance  
118 coverage for purchase to the spouses or dependents of  
119 commissioned and civilian personnel who retire from service  
120 with the board of police commissioners or the municipal  
121 police force and deceased commissioned and civilian  
122 personnel who receive pension benefits under sections 86.200  
123 to 86.366 at the rate that such dependent's or spouse's  
124 coverage would cost under the appropriate plan if the  
125 deceased were living; and

126 (4) May pay an additional shift differential  
127 compensation to commissioned and civilian personnel for  
128 evening and night tours of duty in an amount not to exceed  
129 ten percent of the officer's base hourly rate.

130 10. A city not within a county that establishes a  
131 municipal police force under sections 84.343 to 84.346 shall  
132 establish a transition committee of five members for the  
133 purpose of: coordinating and implementing the transition of  
134 authority, operations, assets, and obligations from the  
135 board of police commissioners to the city; winding down the  
136 affairs of the board; making nonbinding recommendations for  
137 the transition of the police force from the board to the  
138 city; and other related duties, if any, established by  
139 executive order of the city's mayor. Once the ordinance  
140 referenced in this section is enacted, the city shall  
141 provide written notice to the board of police commissioners  
142 and the governor of the state of Missouri. Within thirty  
143 days of such notice, the mayor shall appoint three members  
144 to the committee, two of whom shall be members of a  
145 statewide law enforcement association that represents at  
146 least five thousand law enforcement officers. The remaining

147 members of the committee shall include the police chief of  
148 the municipal police force and a person who currently or  
149 previously served as a commissioner on the board of police  
150 commissioners, who shall be appointed to the committee by  
151 the mayor of such city.

84.480. The board of police commissioners shall  
2 appoint a chief of police who shall be the chief police  
3 administrative and law enforcement officer of such cities.  
4 The chief of police shall be chosen by the board solely on  
5 the basis of his or her executive and administrative  
6 qualifications and his or her demonstrated knowledge of  
7 police science and administration with special reference to  
8 his or her actual experience in law enforcement leadership  
9 and the provisions of section 84.420. At the time of the  
10 appointment, the chief shall [not be more than sixty years  
11 of age, shall] have had at least five years' executive  
12 experience in a governmental police agency and shall be  
13 certified by a surgeon or physician to be in a good physical  
14 condition, and shall be a citizen of the United States and  
15 shall either be or become a citizen of the state of Missouri  
16 and resident of the city in which he or she is appointed as  
17 chief of police. In order to secure and retain the highest  
18 type of police leadership within the departments of such  
19 cities, the [chief shall receive a salary of not less than  
20 eighty thousand two hundred eleven dollars, nor more than  
21 one hundred eighty-nine thousand seven hundred twenty-six  
22 dollars per annum] **board shall establish a range for the**  
23 **salary of the chief by resolution.**

84.510. 1. For the purpose of operation of the police  
2 department herein created, the chief of police, with the  
3 approval of the board, shall appoint such number of police  
4 department employees, including police officers and civilian

5 employees as the chief of police from time to time deems  
6 necessary.

7 2. The base annual compensation of police officers  
8 shall be as follows for the several ranks:

9 (1) Lieutenant colonels, not to exceed five in number,  
10 at not less than seventy-one thousand nine hundred sixty-  
11 nine dollars[, nor more than one hundred forty-six thousand  
12 one hundred twenty-four dollars per annum each];

13 (2) Majors at not less than sixty-four thousand six  
14 hundred seventy-one dollars[, nor more than one hundred  
15 thirty-three thousand three hundred twenty dollars per annum  
16 each];

17 (3) Captains at not less than fifty-nine thousand five  
18 hundred thirty-nine dollars[, nor more than one hundred  
19 twenty-one thousand six hundred eight dollars per annum  
20 each];

21 (4) Sergeants at not less than forty-eight thousand  
22 six hundred fifty-nine dollars[, nor more than one hundred  
23 six thousand five hundred sixty dollars per annum each];

24 (5) Master patrol officers at not less than fifty-six  
25 thousand three hundred four dollars[, nor more than ninety-  
26 four thousand three hundred thirty-two dollars per annum  
27 each];

28 (6) Master detectives at not less than fifty-six  
29 thousand three hundred four dollars[, nor more than ninety-  
30 four thousand three hundred thirty-two dollars per annum  
31 each];

32 (7) Detectives, investigators, and police officers at  
33 not less than twenty-six thousand six hundred forty-three  
34 dollars[, nor more than eighty-seven thousand six hundred  
35 thirty-six dollars per annum each].

36           3. The board of police commissioners has the authority  
37 by resolution to effect a comprehensive pay schedule program  
38 to provide for step increases with separate pay rates within  
39 each rank, **[in] using** the above-specified salary **minimums as**  
40 **a base for such** ranges from police officers through chief of  
41 police.

42           4. Officers assigned to wear civilian clothes in the  
43 performance of their regular duties may receive an  
44 additional one hundred fifty dollars per month clothing  
45 allowance. Uniformed officers may receive seventy-five  
46 dollars per month uniform maintenance allowance.

47           5. The chief of police, subject to the approval of the  
48 board, shall establish the total regular working hours for  
49 all police department employees, and the board has the  
50 power, upon recommendation of the chief, to pay additional  
51 compensation for all hours of service rendered in excess of  
52 the established regular working period, but the rate of  
53 overtime compensation shall not exceed one and one-half  
54 times the regular hourly rate of pay to which each member  
55 shall normally be entitled. No credit shall be given nor  
56 deductions made from payments for overtime for the purpose  
57 of retirement benefits.

58           6. The board of police commissioners, by majority  
59 affirmative vote, including the mayor, has the authority by  
60 resolution to authorize incentive pay in addition to the  
61 base compensation as provided for in subsection 2 of this  
62 section, to be paid police officers of any rank who they  
63 determine are assigned duties which require an extraordinary  
64 degree of skill, technical knowledge and ability, or which  
65 are highly demanding or unusual. No credit shall be given  
66 nor deductions made from these payments for the purpose of  
67 retirement benefits.

68           7. The board of police commissioners may effect  
69 programs to provide additional compensation for successful  
70 completion of academic work at an accredited college or  
71 university. No credit shall be given nor deductions made  
72 from these payments for the purpose of retirement benefits.

73           8. The additional pay increments provided in  
74 subsections 6 and 7 of this section shall not be considered  
75 a part of the base compensation of police officers of any  
76 rank and shall not exceed ten percent of what the officer  
77 would otherwise be entitled to pursuant to subsections 2 and  
78 3 of this section.

79           9. Not more than twenty-five percent of the officers  
80 in any rank who are receiving the maximum rate of pay  
81 authorized by subsections 2 and 3 of this section may  
82 receive the additional pay increments authorized by  
83 subsections 6 and 7 of this section at any given time.  
84 However, any officer receiving a pay increment provided  
85 pursuant to the provisions of subsections 6 and 7 of this  
86 section shall not be deprived of such pay increment as a  
87 result of the limitations of this subsection.

105.726. 1. Nothing in sections 105.711 to 105.726  
2 shall be construed to broaden the liability of the state of  
3 Missouri beyond the provisions of sections 537.600 to  
4 537.610, nor to abolish or waive any defense at law which  
5 might otherwise be available to any agency, officer, or  
6 employee of the state of Missouri. Sections 105.711 to  
7 105.726 do not waive the sovereign immunity of the state of  
8 Missouri.

9           2. The creation of the state legal expense fund and  
10 the payment therefrom of such amounts as may be necessary  
11 for the benefit of any person covered thereby are deemed

12 necessary and proper public purposes for which funds of this  
13 state may be expended.

14 3. Moneys in the state legal expense fund shall not be  
15 available for the payment of any claim or any amount  
16 required by any final judgment rendered by a court of  
17 competent jurisdiction against a board of police  
18 commissioners established under chapter 84, including the  
19 commissioners, any police officer, notwithstanding sections  
20 84.330 and 84.710, or other provisions of law, other  
21 employees, agents, representative, or any other individual  
22 or entity acting or purporting to act on its or their  
23 behalf. Such was the intent of the general assembly in the  
24 original enactment of sections 105.711 to 105.726, and it is  
25 made express by this section in light of the decision in  
26 Wayman Smith, III, et al. v. State of Missouri, 152 S.W.3d  
27 275. Except that the commissioner of administration shall  
28 reimburse from the legal expense fund the board of police  
29 commissioners established under [section 84.350, and any  
30 successor-in-interest established pursuant to section  
31 84.344,] **chapter 84** for liability claims otherwise eligible  
32 for payment under section 105.711 paid by such [board]  
33 **boards on a twenty-one equal share basis per claim** up to a  
34 maximum of one million dollars per fiscal year.

35 4. [Subject to the provisions of subsection 2 of  
36 section 84.345,] If the representation of the attorney  
37 general is requested by a board of police commissioners [or  
38 its successor-in-interest established pursuant to section  
39 84.344], the attorney general shall represent, investigate,  
40 defend, negotiate, or compromise all claims under sections  
41 105.711 to 105.726 for the board of police commissioners,  
42 its successor-in-interest pursuant to section 84.344, any  
43 police officer, other employees, agents, representatives, or

44 any other individual or entity acting or purporting to act  
45 on their behalf. The attorney general may establish  
46 procedures by rules promulgated under chapter 536 under  
47 which claims must be referred for the attorney general's  
48 representation. The attorney general and the officials of  
49 the city which the police board represents [or represented]  
50 shall meet and negotiate reasonable expenses or charges that  
51 will fairly compensate the attorney general and the office  
52 of administration for the cost of the representation of the  
53 claims under this section.

54 5. Claims tendered to the attorney general promptly  
55 after the claim was asserted as required by section 105.716  
56 and prior to August 28, 2005, may be investigated, defended,  
57 negotiated, or compromised by the attorney general and full  
58 payments may be made from the state legal expense fund on  
59 behalf of the entities and individuals described in this  
60 section as a result of the holding in Wayman Smith, III, et  
61 al. v. State of Missouri, 152 S.W.3d 275.

170.310. 1. For school year 2017-18 and each school  
2 year thereafter, upon graduation from high school, pupils in  
3 public schools and charter schools shall have received  
4 thirty minutes of cardiopulmonary resuscitation instruction  
5 and training in the proper performance of the Heimlich  
6 maneuver or other first aid for choking given any time  
7 during a pupil's four years of high school.

8 2. Beginning in school year 2017-18, any public school  
9 or charter school serving grades nine through twelve shall  
10 provide enrolled students instruction in cardiopulmonary  
11 resuscitation. Students with disabilities may participate  
12 to the extent appropriate as determined by the provisions of  
13 the Individuals with Disabilities Education Act or Section  
14 504 of the Rehabilitation Act. Instruction shall be included

15 in the district's existing health or physical education  
16 curriculum. Instruction shall be based on a program  
17 established by the American Heart Association or the  
18 American Red Cross, or through a nationally recognized  
19 program based on the most current national evidence-based  
20 emergency cardiovascular care guidelines, and psychomotor  
21 skills development shall be incorporated into the  
22 instruction. For purposes of this section, "psychomotor  
23 skills" means the use of hands-on practicing and skills  
24 testing to support cognitive learning.

25 3. The teacher of the cardiopulmonary resuscitation  
26 course or unit shall not be required to be a certified  
27 trainer of cardiopulmonary resuscitation if the instruction  
28 is not designed to result in certification of students.  
29 Instruction that is designed to result in certification  
30 being earned shall be required to be taught by an authorized  
31 cardiopulmonary instructor. Schools may develop agreements  
32 with any local chapter of a voluntary organization of first  
33 responders to provide the required hands-on practice and  
34 skills testing. **For purposes of this subsection, "first  
35 responders" shall include telecommunicator first responders  
36 as defined in section 650.320.**

37 4. The department of elementary and secondary  
38 education may promulgate rules to implement this section.  
39 Any rule or portion of a rule, as that term is defined in  
40 section 536.010, that is created under the authority  
41 delegated in this section shall become effective only if it  
42 complies with and is subject to all of the provisions of  
43 chapter 536 and, if applicable, section 536.028. This  
44 section and chapter 536 are nonseverable and if any of the  
45 powers vested with the general assembly pursuant to chapter  
46 536 to review, to delay the effective date, or to disapprove

47 and annul a rule are subsequently held unconstitutional,  
48 then the grant of rulemaking authority and any rule proposed  
49 or adopted after August 28, 2012, shall be invalid and void.

190.091. 1. As used in this section, the following  
2 terms mean:

3 (1) "Bioterrorism", the intentional use of any  
4 microorganism, virus, infectious substance, or biological  
5 product that may be engineered as a result of biotechnology  
6 or any naturally occurring or bioengineered component of any  
7 microorganism, virus, infectious substance, or biological  
8 product to cause death, disease, or other biological  
9 malfunction in a human, an animal, a plant, or any other  
10 living organism to influence the conduct of government or to  
11 intimidate or coerce a civilian population;

12 (2) "Department", the Missouri department of health  
13 and senior services;

14 (3) "Director", the director of the department of  
15 health and senior services;

16 (4) "Disaster locations", any geographical location  
17 where a bioterrorism attack, terrorist attack, catastrophic  
18 or natural disaster, or emergency occurs;

19 (5) "First responders", state and local law  
20 enforcement personnel, **telecommunicator first responders**,  
21 fire department personnel, and emergency medical personnel  
22 who will be deployed to bioterrorism attacks, terrorist  
23 attacks, catastrophic or natural disasters, and emergencies;

24 (6) **"Missouri state highway patrol telecommunicator",**  
25 **any authorized Missouri state highway patrol communications**  
26 **division personnel whose primary responsibility includes**  
27 **directly responding to emergency communications and who meet**  
28 **the training requirements pursuant to section 650.340.**

29           2. The department shall offer a vaccination program  
30 for first responders **and Missouri state highway patrol**  
31 **telecommunicators** who may be exposed to infectious diseases  
32 when deployed to disaster locations as a result of a  
33 bioterrorism event or a suspected bioterrorism event. The  
34 vaccinations shall include, but are not limited to,  
35 smallpox, anthrax, and other vaccinations when recommended  
36 by the federal Centers for Disease Control and Prevention's  
37 Advisory Committee on Immunization Practices.

38           3. Participation in the vaccination program shall be  
39 voluntary by the first responders **and Missouri state highway**  
40 **patrol telecommunicators**, except for first responders **or**  
41 **Missouri state highway patrol telecommunicators** who, as  
42 determined by their employer, cannot safely perform  
43 emergency responsibilities when responding to a bioterrorism  
44 event or suspected bioterrorism event without being  
45 vaccinated. The recommendations of the Centers for Disease  
46 Control and Prevention's Advisory Committee on Immunization  
47 Practices shall be followed when providing appropriate  
48 screening for contraindications to vaccination for first  
49 responders **and Missouri state highway patrol**  
50 **telecommunicators**. A first responder **and Missouri state**  
51 **highway patrol telecommunicator** shall be exempt from  
52 vaccinations when a written statement from a licensed  
53 physician is presented to their employer indicating that a  
54 vaccine is medically contraindicated for such person.

55           4. If a shortage of the vaccines referred to in  
56 subsection 2 of this section exists following a bioterrorism  
57 event or suspected bioterrorism event, the director, in  
58 consultation with the governor and the federal Centers for  
59 Disease Control and Prevention, shall give priority for such  
60 vaccinations to persons exposed to the disease and to first

61 responders **or Missouri state highway patrol**  
62 **telecommunicators** who are deployed to the disaster location.

63 5. The department shall notify first responders **and**  
64 **Missouri state highway patrol telecommunicators** concerning  
65 the availability of the vaccination program described in  
66 subsection 2 of this section and shall provide education to  
67 such first responders, [and] their employers, **and Missouri**  
68 **state highway patrol telecommunicators** concerning the  
69 vaccinations offered and the associated diseases.

70 6. The department may contract for the administration  
71 of the vaccination program described in subsection 2 of this  
72 section with health care providers, including but not  
73 limited to local public health agencies, hospitals,  
74 federally qualified health centers, and physicians.

75 7. The provisions of this section shall become  
76 effective upon receipt of federal funding or federal grants  
77 which designate that the funding is required to implement  
78 vaccinations for first responders **and Missouri state highway**  
79 **patrol telecommunicators** in accordance with the  
80 recommendations of the federal Centers for Disease Control  
81 and Prevention's Advisory Committee on Immunization  
82 Practices. Upon receipt of such funding, the department  
83 shall make available the vaccines to first responders **and**  
84 **Missouri state highway patrol telecommunicators** as provided  
85 in this section.

285.040. 1. As used in this section, "public safety  
2 employee" shall mean a person trained or authorized by law  
3 or rule to render emergency medical assistance or treatment,  
4 including, but not limited to, firefighters, ambulance  
5 attendants and attendant drivers, emergency medical  
6 technicians, emergency medical technician paramedics,

7 dispatchers, registered nurses, physicians, and sheriffs and  
8 deputy sheriffs.

9         2. No public safety employee of a city not within a  
10 county who is hired prior to September 1, [2023] 2028, shall  
11 be subject to a residency requirement of retaining a primary  
12 residence in a city not within a county but may be required  
13 to maintain a primary residence located within a one-hour  
14 response time.

15         3. Public safety employees of a city not within a  
16 county who are hired after August 31, [2023] 2028, may be  
17 subject to a residency rule no more restrictive than a  
18 requirement of retaining a primary residence in a city not  
19 within a county for a total of seven years and of then  
20 allowing the public safety employee to maintain a primary  
21 residence outside the city not within a county so long as  
22 the primary residence is located within a one-hour response  
23 time.

287.067. 1. In this chapter the term "occupational  
2 disease" is hereby defined to mean, unless a different  
3 meaning is clearly indicated by the context, an identifiable  
4 disease arising with or without human fault out of and in  
5 the course of the employment. Ordinary diseases of life to  
6 which the general public is exposed outside of the  
7 employment shall not be compensable, except where the  
8 diseases follow as an incident of an occupational disease as  
9 defined in this section. The disease need not to have been  
10 foreseen or expected but after its contraction it must  
11 appear to have had its origin in a risk connected with the  
12 employment and to have flowed from that source as a rational  
13 consequence.

14         2. An injury or death by occupational disease is  
15 compensable only if the occupational exposure was the

16 prevailing factor in causing both the resulting medical  
17 condition and disability. The "prevailing factor" is  
18 defined to be the primary factor, in relation to any other  
19 factor, causing both the resulting medical condition and  
20 disability. Ordinary, gradual deterioration, or progressive  
21 degeneration of the body caused by aging or by the normal  
22 activities of day-to-day living shall not be compensable.

23 3. An injury due to repetitive motion is recognized as  
24 an occupational disease for purposes of this chapter. An  
25 occupational disease due to repetitive motion is compensable  
26 only if the occupational exposure was the prevailing factor  
27 in causing both the resulting medical condition and  
28 disability. The "prevailing factor" is defined to be the  
29 primary factor, in relation to any other factor, causing  
30 both the resulting medical condition and disability.  
31 Ordinary, gradual deterioration, or progressive degeneration  
32 of the body caused by aging or by the normal activities of  
33 day-to-day living shall not be compensable.

34 4. "Loss of hearing due to industrial noise" is  
35 recognized as an occupational disease for purposes of this  
36 chapter and is hereby defined to be a loss of hearing in one  
37 or both ears due to prolonged exposure to harmful noise in  
38 employment. "Harmful noise" means sound capable of  
39 producing occupational deafness.

40 5. "Radiation disability" is recognized as an  
41 occupational disease for purposes of this chapter and is  
42 hereby defined to be that disability due to radioactive  
43 properties or substances or to Roentgen rays (X-rays) or  
44 exposure to ionizing radiation caused by any process  
45 involving the use of or direct contact with radium or  
46 radioactive properties or substances or the use of or direct  
47 exposure to Roentgen rays (X-rays) or ionizing radiation.

48           6. Disease of the lungs or respiratory tract,  
49 hypotension, hypertension, or disease of the heart or  
50 cardiovascular system, including carcinoma, may be  
51 recognized as occupational diseases for the purposes of this  
52 chapter and are defined to be disability due to exposure to  
53 smoke, gases, carcinogens, inadequate oxygen, of paid  
54 firefighters of a paid fire department or paid police  
55 officers of a paid police department certified under chapter  
56 590 if a direct causal relationship is established, or  
57 psychological stress of firefighters of a paid fire  
58 department or paid peace officers of a police department who  
59 are certified under chapter 590 if a direct causal  
60 relationship is established.

61           7. Any employee who is exposed to and contracts any  
62 contagious or communicable disease arising out of and in the  
63 course of his or her employment shall be eligible for  
64 benefits under this chapter as an occupational disease.

65           8. With regard to occupational disease due to  
66 repetitive motion, if the exposure to the repetitive motion  
67 which is found to be the cause of the injury is for a period  
68 of less than three months and the evidence demonstrates that  
69 the exposure to the repetitive motion with the immediate  
70 prior employer was the prevailing factor in causing the  
71 injury, the prior employer shall be liable for such  
72 occupational disease.

73           **9. (1) (a) Posttraumatic stress disorder (PTSD), as**  
74 **described in the Diagnostic and Statistical Manual of Mental**  
75 **Health Disorders, Fifth Edition, published by the American**  
76 **Psychiatric Association, (DSM-5) is recognized as a**  
77 **compensable occupational disease for purposes of this**  
78 **chapter when diagnosed in a first responder. As used in**  
79 **this section, "first responder" means emergency first**

80 responders, law enforcement officers, sheriffs, deputy  
81 sheriffs, firefighters, ambulance attendants and attendant  
82 drivers, and emergency medical technician-paramedics.

83 (b) Benefits payable to a first responder pursuant to  
84 this section shall not require a physical injury to the  
85 first responder, and are not subject to any preexisting PTSD.

86 (2) The time for notice of injury or death in cases of  
87 compensable PTSD pursuant to this section is measured from  
88 exposure to one of the qualifying stressors listed in the  
89 DSM-5 criteria, or the diagnosis of the disorder, whichever  
90 is later. Any claim for compensation for such injury shall  
91 be properly noticed to the division within fifty-two weeks  
92 after the qualifying exposure, or the diagnosis of the  
93 disorder, whichever is later.

590.192. 1. There is hereby established the "Critical  
2 Incident Stress Management Program" within the department of  
3 public safety. The program shall provide services for peace  
4 officers **and firefighters** to assist in coping with stress  
5 and potential psychological trauma resulting from a response  
6 to a critical incident or emotionally difficult event. Such  
7 services may include consultation, risk assessment,  
8 education, intervention, and other crisis intervention  
9 services provided by the department to peace officers **and**  
10 **firefighters** affected by a critical incident. For purposes  
11 of this section, a "critical incident" shall mean any event  
12 outside the usual realm of human experience that is markedly  
13 distressing or evokes reactions of intense fear,  
14 helplessness, or horror and involves the perceived threat to  
15 a person's physical integrity or the physical integrity of  
16 someone else.

17 2. All peace officers **and firefighters** shall be  
18 required to meet with a program service provider once every

19 three to five years for a mental health check-in. The  
20 program service provider shall send a notification to the  
21 peace officer's commanding officer **or firefighter's fire**  
22 **protection district director** that he or she completed such  
23 check-in.

24 3. Any information disclosed by a peace officer **or**  
25 **firefighter** shall be privileged and shall not be used as  
26 evidence in criminal, administrative, or civil proceedings  
27 against the peace officer **or firefighter** unless:

28 (1) A program representative reasonably believes the  
29 disclosure is necessary to prevent harm to a person who  
30 received services or to prevent harm to another person;

31 (2) The person who received the services provides  
32 written consent to the disclosure; or

33 (3) The person receiving services discloses  
34 information that is required to be reported under mandatory  
35 reporting laws.

36 4. (1) There is hereby created in the state treasury  
37 the "988 Public Safety Fund", which shall consist of moneys  
38 appropriated by the general assembly. The state treasurer  
39 shall be custodian of the fund. In accordance with sections  
40 30.170 and 30.180, the state treasurer may approve  
41 disbursements. The fund shall be a dedicated fund and  
42 moneys in the fund shall be used solely by the department of  
43 public safety for the purposes of providing services for  
44 peace officers **and firefighters** to assist in coping with  
45 stress and potential psychological trauma resulting from a  
46 response to a critical incident or emotionally difficult  
47 event pursuant to subsection 1 of this section. Such  
48 services may include consultation, risk assessment,  
49 education, intervention, and other crisis intervention  
50 services provided by the department to peace officers **or**

51 **firefighters** affected by a critical incident. The director  
52 of public safety may prescribe rules and regulations  
53 necessary to carry out the provisions of this section. Any  
54 rule or portion of a rule, as that term is defined in  
55 section 536.010, that is created under the authority  
56 delegated in this section shall become effective only if it  
57 complies with and is subject to all of the provisions of  
58 chapter 536 and, if applicable, section 536.028. This  
59 section and chapter 536 are nonseverable and if any of the  
60 powers vested with the general assembly pursuant to chapter  
61 536 to review, to delay the effective date, or to disapprove  
62 and annul a rule are subsequently held unconstitutional,  
63 then the grant of rulemaking authority and any rule proposed  
64 or adopted after August 28, 2021, shall be invalid and void.

65 (2) Notwithstanding the provisions of section 33.080  
66 to the contrary, any moneys remaining in the fund at the end  
67 of the biennium shall not revert to the credit of the  
68 general revenue fund.

69 (3) The state treasurer shall invest moneys in the  
70 fund in the same manner as other funds are invested. Any  
71 interest and moneys earned on such investments shall be  
72 credited to the fund.

590.653. 1. Each city, county and city not within a  
2 county may establish a civilian review board, **division of**  
3 **civilian oversight, or any other entity which provides**  
4 **civilian review or oversight of police agencies**, or may use  
5 an existing civilian review board **or division of civilian**  
6 **oversight or other named entity** which has been appointed by  
7 the local governing body, with the authority to investigate  
8 allegations of misconduct by local law enforcement officers  
9 towards members of the public. The members shall not  
10 receive compensation but shall receive reimbursement from

11 the local governing body for all reasonable and necessary  
12 expenses.

13 2. The board, **division, or any other such entity,**  
14 shall have the power [to receive, investigate, make] **solely**  
15 **limited to receiving, investigating, making** findings and  
16 [recommend] **recommending** disciplinary action upon complaints  
17 by members of the public against members of the police  
18 department that allege misconduct involving excessive use of  
19 force, abuse of authority, discourtesy, or use of offensive  
20 language, including, but not limited to, slurs relating to  
21 race, ethnicity, religion, gender, sexual orientation and  
22 disability. The findings and recommendations of the board,  
23 **division, or other entity** and the basis therefor, shall be  
24 submitted to the chief law enforcement official. No finding  
25 or recommendation shall be based solely upon an unsworn  
26 complaint or statement, nor shall prior unsubstantiated,  
27 unfounded or withdrawn complaints be the basis for any such  
28 findings or recommendations. **Only the powers specifically**  
29 **granted herein are authorized and any and all authority**  
30 **granted to future or existing boards, divisions, or entities**  
31 **outside the scope of the powers listed herein are preempted**  
32 **and void as a matter of law.**

650.320. For the purposes of sections 650.320 to  
2 650.340, the following terms mean:

3 (1) "Board", the Missouri 911 service board  
4 established in section 650.325;

5 (2) "Public safety answering point", the location at  
6 which 911 calls are answered;

7 (3) "Telecommunicator **first responder**", any person  
8 employed as an emergency [telephone worker,] call taker or  
9 public safety dispatcher whose duties include receiving,

10 processing or transmitting public safety information  
11 received through a 911 public safety answering point.

650.330. 1. The board shall consist of fifteen  
2 members, one of which shall be chosen from the department of  
3 public safety, and the other members shall be selected as  
4 follows:

5 (1) One member chosen to represent an association  
6 domiciled in this state whose primary interest relates to  
7 municipalities;

8 (2) One member chosen to represent the Missouri 911  
9 Directors Association;

10 (3) One member chosen to represent emergency medical  
11 services and physicians;

12 (4) One member chosen to represent an association with  
13 a chapter domiciled in this state whose primary interest  
14 relates to a national emergency number;

15 (5) One member chosen to represent an association  
16 whose primary interest relates to issues pertaining to fire  
17 chiefs;

18 (6) One member chosen to represent an association with  
19 a chapter domiciled in this state whose primary interest  
20 relates to issues pertaining to public safety communications  
21 officers;

22 (7) One member chosen to represent an association  
23 whose primary interest relates to issues pertaining to  
24 police chiefs;

25 (8) One member chosen to represent an association  
26 domiciled in this state whose primary interest relates to  
27 issues pertaining to sheriffs;

28 (9) One member chosen to represent counties of the  
29 second, third, and fourth classification;

30           (10) One member chosen to represent counties of the  
31 first classification, counties with a charter form of  
32 government, and cities not within a county;

33           (11) One member chosen to represent telecommunications  
34 service providers;

35           (12) One member chosen to represent wireless  
36 telecommunications service providers;

37           (13) One member chosen to represent voice over  
38 internet protocol service providers; and

39           (14) One member chosen to represent the governor's  
40 council on disability established under section 37.735.

41           2. Each of the members of the board shall be appointed  
42 by the governor with the advice and consent of the senate  
43 for a term of four years. Members of the committee may  
44 serve multiple terms. No corporation or its affiliate shall  
45 have more than one officer, employee, assign, agent, or  
46 other representative serving as a member of the board.  
47 Notwithstanding subsection 1 of this section to the  
48 contrary, all members appointed as of August 28, 2017, shall  
49 continue to serve the remainder of their terms.

50           3. The board shall meet at least quarterly at a place  
51 and time specified by the chairperson of the board and it  
52 shall keep and maintain records of such meetings, as well as  
53 the other activities of the board. Members shall not be  
54 compensated but shall receive actual and necessary expenses  
55 for attending meetings of the board.

56           4. The board shall:

57           (1) Organize and adopt standards governing the board's  
58 formal and informal procedures;

59           (2) Provide recommendations for primary answering  
60 points and secondary answering points on technical and  
61 operational standards for 911 services;

62           (3) Provide recommendations to public agencies  
63 concerning model systems to be considered in preparing a 911  
64 service plan;

65           (4) Provide requested mediation services to political  
66 subdivisions involved in jurisdictional disputes regarding  
67 the provision of 911 services, except that the board shall  
68 not supersede decision-making authority of local political  
69 subdivisions in regard to 911 services;

70           (5) Provide assistance to the governor and the general  
71 assembly regarding 911 services;

72           (6) Review existing and proposed legislation and make  
73 recommendations as to changes that would improve such  
74 legislation;

75           (7) Aid and assist in the timely collection and  
76 dissemination of information relating to the use of a  
77 universal emergency telephone number;

78           (8) Perform other duties as necessary to promote  
79 successful development, implementation and operation of 911  
80 systems across the state, including monitoring federal and  
81 industry standards being developed for next-generation 911  
82 systems;

83           (9) Designate a state 911 coordinator who shall be  
84 responsible for overseeing statewide 911 operations and  
85 ensuring compliance with federal grants for 911 funding;

86           (10) Elect the chair from its membership;

87           (11) Apply for and receive grants from federal,  
88 private, and other sources;

89           (12) Report to the governor and the general assembly  
90 at least every three years on the status of 911 services  
91 statewide, as well as specific efforts to improve  
92 efficiency, cost-effectiveness, and levels of service;

93           (13) Conduct and review an annual survey of public  
94 safety answering points in Missouri to evaluate potential  
95 for improved services, coordination, and feasibility of  
96 consolidation;

97           (14) Make and execute contracts or any other  
98 instruments and agreements necessary or convenient for the  
99 exercise of its powers and functions, including for the  
100 development and implementation of an emergency services  
101 internet protocol network that can be shared by all public  
102 safety agencies;

103           (15) Develop a plan and timeline of target dates for  
104 the testing, implementation, and operation of a next-  
105 generation 911 system throughout Missouri. The next-  
106 generation 911 system shall allow for the processing of  
107 electronic messages including, but not limited to,  
108 electronic messages containing text, images, video, or data;

109           (16) Administer and authorize grants and loans under  
110 section 650.335 to those counties and any home rule city  
111 with more than fifteen thousand but fewer than seventeen  
112 thousand inhabitants and partially located in any county of  
113 the third classification without a township form of  
114 government and with more than thirty-seven thousand but  
115 fewer than forty-one thousand inhabitants that can  
116 demonstrate a financial commitment to improving 911 services  
117 by providing at least a fifty percent match and demonstrate  
118 the ability to operate and maintain ongoing 911 services.  
119 The purpose of grants and loans from the 911 service trust  
120 fund shall include:

121           (a) Implementation of 911 services in counties of the  
122 state where services do not exist or to improve existing 911  
123 systems;

124           (b) Promotion of consolidation where appropriate;

125 (c) Mapping and addressing all county locations;  
126 (d) Ensuring primary access and texting abilities to  
127 911 services for disabled residents;  
128 (e) Implementation of initial emergency medical  
129 dispatch services, including prearrival medical instructions  
130 in counties where those services are not offered as of July  
131 1, 2019; and  
132 (f) Development and implementation of an emergency  
133 services internet protocol network that can be shared by all  
134 public safety agencies;  
135 (17) Develop an application process including  
136 reporting and accountability requirements, withholding a  
137 portion of the grant until completion of a project, and  
138 other measures to ensure funds are used in accordance with  
139 the law and purpose of the grant, and conduct audits as  
140 deemed necessary;  
141 (18) Set the percentage rate of the prepaid wireless  
142 emergency telephone service charges to be remitted to a  
143 county or city as provided under subdivision (5) of  
144 subsection 3 of section 190.460;  
145 (19) Retain in its records proposed county plans  
146 developed under subsection 11 of section 190.455 and notify  
147 the department of revenue that the county has filed a plan  
148 that is ready for implementation;  
149 (20) Notify any communications service provider, as  
150 defined in section 190.400, that has voluntarily submitted  
151 its contact information when any update is made to the  
152 centralized database established under section 190.475 as a  
153 result of a county or city establishing or modifying a tax  
154 or monthly fee no less than ninety days prior to the  
155 effective date of the establishment or modification of the  
156 tax or monthly fee;

157 (21) Establish criteria for consolidation  
158 prioritization of public safety answering points;

159 (22) In coordination with existing public safety  
160 answering points, by December 31, 2018, designate no more  
161 than eleven regional 911 coordination centers which shall  
162 coordinate statewide interoperability among public safety  
163 answering points within their region through the use of a  
164 statewide 911 emergency services network; [and]

165 (23) Establish an annual budget, retain records of all  
166 revenue and expenditures made, retain minutes of all  
167 meetings and subcommittees, post records, minutes, and  
168 reports on the board's webpage on the department of public  
169 safety website; and

170 **(24) Promote and educate the public about the critical**  
171 **role of telecommunicator first responders in protecting the**  
172 **public and ensuring public safety.**

173 5. The department of public safety shall provide staff  
174 assistance to the board as necessary in order for the board  
175 to perform its duties pursuant to sections 650.320 to  
176 650.340. The board shall have the authority to hire  
177 consultants to administer the provisions of sections 650.320  
178 to 650.340.

179 6. The board shall promulgate rules and regulations  
180 that are reasonable and necessary to implement and  
181 administer the provisions of sections 190.455, 190.460,  
182 190.465, 190.470, 190.475, and sections 650.320 to 650.340.  
183 Any rule or portion of a rule, as that term is defined in  
184 section 536.010, shall become effective only if it has been  
185 promulgated pursuant to the provisions of chapter 536. This  
186 section and chapter 536 are nonseverable and if any of the  
187 powers vested with the general assembly pursuant to chapter  
188 536 to review, to delay the effective date or to disapprove

189 and annul a rule are subsequently held unconstitutional,  
190 then the grant of rulemaking authority and any rule proposed  
191 or adopted after August 28, 2017, shall be invalid and void.

650.340. 1. The provisions of this section may be  
2 cited and shall be known as the "911 Training and Standards  
3 Act".

4 2. Initial training requirements for  
5 **[telecommunicators] telecommunicator first responders** who  
6 answer 911 calls that come to public safety answering points  
7 shall be as follows:

8 (1) Police telecommunicator **first responder**, 16 hours;

9 (2) Fire telecommunicator **first responder**, 16 hours;

10 (3) Emergency medical services telecommunicator **first**  
11 **responder**, 16 hours;

12 (4) Joint communication center telecommunicator **first**  
13 **responder**, 40 hours.

14 3. All persons employed as a telecommunicator **first**  
15 **responder** in this state shall be required to complete  
16 ongoing training so long as such person engages in the  
17 occupation as a telecommunicator **first responder**. Such  
18 persons shall complete at least twenty-four hours of ongoing  
19 training every three years by such persons or organizations  
20 as provided in subsection 6 of this section.

21 4. Any person employed as a telecommunicator on August  
22 28, 1999, shall not be required to complete the training  
23 requirement as provided in subsection 2 of this section.  
24 Any person hired as a telecommunicator **or a telecommunicator**  
25 **first responder** after August 28, 1999, shall complete the  
26 training requirements as provided in subsection 2 of this  
27 section within twelve months of the date such person is  
28 employed as a telecommunicator **or telecommunicator first**  
29 **responder**.

30           5. The training requirements as provided in subsection  
31 2 of this section shall be waived for any person who  
32 furnishes proof to the committee that such person has  
33 completed training in another state which is at least as  
34 stringent as the training requirements of subsection 2 of  
35 this section.

36           6. The board shall determine by administrative rule  
37 the persons or organizations authorized to conduct the  
38 training as required by subsection 2 of this section.

39           7. This section shall not apply to an emergency  
40 medical dispatcher or **dispatch** agency as defined in section  
41 190.100, or a person trained by an entity accredited or  
42 certified under section 190.131, or a person who provides  
43 prearrival medical instructions who works for an agency  
44 which meets the requirements set forth in section 190.134.

✓