

FIRST REGULAR SESSION

HOUSE BILL NO. 1245

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE CURTMAN.

2511L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 590, RSMo, by adding thereto one new section relating to disciplinary actions against peace officers.

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 590.502, to read as follows:

590.502. 1. Notwithstanding any provision of law, no supervisor or individual with the authority to hire, fire, or discipline a peace officer shall take any immediate disciplinary action against a peace officer who:

(1) Failed to follow an order issued by such supervisor or individual if such peace officer reasonably believed such orders were unlawful; or

(2) Made information public that under reasonable circumstances would benefit the public if made known.

2. As used in this section, "disciplinary action" means any dismissal, demotion, transfer, reassignment, suspension, reprimand, warning of possible dismissal, or withholding work.

3. A peace officer may request a hearing under chapter 536 by either the employing law enforcement agency or the peace officer standards and training commission regarding any disciplinary action taken that may be in violation of this section. In addition, a peace officer who alleges a violation of this section may bring a civil action for damages within ninety days after the occurrence of the alleged violation. A court, in rendering a judgment in an action brought under this section, shall order, as the court considers appropriate,

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.

17 **actual damages, and may also award the complainant all or a portion of the costs of**
18 **litigation, including reasonable attorney fees.**

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