

SECOND REGULAR SESSION

HOUSE BILL NO. 1796

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE WINDHAM.

3985H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 590.120, RSMo, and to enact in lieu thereof one new section relating to the POST commission.

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

Section A. Section 590.120, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 590.120, to read as follows:

590.120. 1. There is hereby established within the department of public safety a "Peace Officer Standards and Training Commission" which shall be composed of eleven members, including a voting public member, appointed by the governor, by and with the advice and consent of the senate, from a list of qualified candidates submitted to the governor by the director of the department of public safety. No more than two members of the POST commission shall reside in the same congressional district as any other at the time of their appointments but this provision shall not apply to the public member. Three members of the POST commission shall be police chiefs, three members shall be sheriffs, one member shall represent a state law enforcement agency covered by the provisions of this chapter, two members shall be peace officers at or below the rank of sergeant employed by a political subdivision, and one member shall be a chief executive officer of a certified training academy. The public member shall be at the time of appointment a registered voter; a person who is not and never has been a member of any profession certified or regulated under this chapter or the spouse of such person; and a person who does not have and never has had a material financial interest in either the providing of the professional services regulated by this chapter, or an activity or organization directly related to any profession certified or regulated under this chapter. Each member of the POST commission shall have been at the time of his

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.

18 appointment a citizen of the United States and a resident of this state for a period of at least
19 one year, and members who are peace officers shall be qualified as established by this
20 chapter. No member of the POST commission serving a full term of three years may be
21 reappointed to the POST commission until at least one year after the expiration of his most
22 recent term.

23 2. Three of the original members of the POST commission shall be appointed for
24 terms of one year, three of the original members shall be appointed for terms of two years,
25 and three of the original members shall be appointed for terms of three years. Thereafter the
26 terms of the members of the POST commission shall be for three years or until their
27 successors are appointed. The director may remove any member of the POST commission for
28 misconduct or neglect of office. Any member of the POST commission may be removed for
29 cause by the director but such member shall first be presented with a written statement of the
30 reasons thereof, and shall have a hearing before the POST commission if the member so
31 requests. Any vacancy in the membership of the commission shall be filled by appointment
32 for the unexpired term. No two members of the POST commission shall be employees of the
33 same law enforcement agency.

34 3. Annually the director shall appoint one of the members as chairperson. The POST
35 commission shall meet at least twice each year as determined by the director or a majority of
36 the members to perform its duties. A majority of the members of the POST commission shall
37 constitute a quorum.

38 4. No member of the POST commission shall receive any compensation for the
39 performance of his official duties.

40 5. **The director shall employ staff as the director deems necessary including, but**
41 **not limited to, no fewer than one POST investigator for each administrative hearing**
42 **commissioner.**

43 6. The POST commission shall guide and advise the director concerning duties
44 pursuant to this chapter.

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