

SECOND REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 1961**  
**100TH GENERAL ASSEMBLY**

4655H.02C

DANA RADEMAN MILLER, Chief Clerk

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**AN ACT**

To repeal sections 160.665 and 590.207, RSMo, and to enact in lieu thereof two new sections relating to elementary and secondary school safety.

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

Section A. Sections 160.665 and 590.207, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 160.665 and 590.207, to read as follows:

160.665. 1. **(1) This section shall be known and may be cited as the "Keep Our Schools Safe Act".**

**(2) As used in this section, the following terms mean:**

**(a) "Law enforcement officer", any officer or employee of the United States, any state, any political subdivision of a state, or the District of Columbia having both the power and duty to make arrests for violations of the laws of this state, and federal law enforcement officers authorized to carry firearms and to make arrests for violations of the laws of the United States. The term "law enforcement officer" shall specifically include, but not be limited to, members of the following:**

**a. The National Guard as defined in 10 U.S.C. Section 101, as amended;**

**b. The organized militia of any state or territory of the United States, the Commonwealth of Puerto Rico, or the District of Columbia, not included within the definition of the National Guard as defined in 10 U.S.C. Section 101, as amended; and**

**c. The Armed Forces of the United States;**

**(b) "School building", any facility owned or leased by a school district:**

**a. Over which the school board of the school district has care, custody, or control;**

**and**

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           **b. In which any pupils are physically present during a school day, as such term is**  
19 **defined in section 160.041;**

20           **(c) "School protection officer", any elementary or secondary school teacher or**  
21 **administrator designated by a school district to serve as a school protection officer under**  
22 **this section and sections 590.200 to 590.207, or any individual who is a volunteer as**  
23 **provided in this section;**

24           **(d) "Volunteer", any individual who:**

25           **a. Was formerly employed as a law enforcement officer but who has retired from**  
26 **such employment;**

27           **b. Is qualified as a school protection officer under sections 590.200 to 590.207; and**

28           **c. Serves or will serve a school district as a school protection officer on a paid or**  
29 **unpaid basis but not as an employee of the school district.**

30           **2. Any school district within the state may designate one or more [elementary or**  
31 **secondary school teachers or administrators as a] school protection [officer] officers in each of**  
32 **the district's school buildings. A school protection officer may be a teacher or**  
33 **administrator as provided in this section or may be a volunteer. If a school protection**  
34 **officer is a teacher or administrator, the responsibilities and duties of a school protection**  
35 **officer are voluntary and shall be in addition to the normal responsibilities and duties of the**  
36 **teacher or administrator. If the school protection officer is a volunteer, the individual may**  
37 **serve on an unpaid basis or may be provided compensation by the school district. Any**  
38 **compensation for [additional] duties relating to service as a school protection officer shall be**  
39 **funded by the local school district, with no state funds used for such purpose.**

40           ~~[2-]~~ **3. Any [person] individual designated by a school district as a school protection**  
41 **officer shall [be authorized to] carry a concealed [firearms or] firearm and a self-defense spray**  
42 **device in any school in the district. A self-defense spray device shall mean any device that is**  
43 **capable of carrying, and that ejects, releases, or emits, a nonlethal solution capable of**  
44 **incapacitating a violent threat. The school protection officer shall not be permitted to allow any**  
45 **firearm or device out of [his or her] the officer's personal control while that firearm or device**  
46 **is on school property. Any school protection officer who violates this subsection may be**  
47 **removed immediately from the [classroom] building and subject to employment termination**  
48 **proceedings if the officer is a teacher or administrator, or subject to removal from the**  
49 **building and dismissal as a volunteer if serving as a volunteer school protection officer.**

50           ~~[3-]~~ **4. A school protection officer has the same authority to detain or use force against**  
51 **any person on school property as provided to any other person under chapter 563.**

52           ~~[4-]~~ Upon detention of a person under **this** subsection ~~[3- of this section]~~, the school  
53 protection officer shall immediately notify a school administrator and a school resource officer,

54 if such officer is present at the school. If the person detained is a student then the parents or  
55 guardians of the student shall also be immediately notified by a school administrator.

56 5. Any person detained by a school protection officer shall be turned over to a school  
57 administrator or law enforcement officer as soon as practically possible and shall not be detained  
58 by a school protection officer for more than one hour.

59 6. Any teacher or administrator of an elementary or secondary school who seeks to be  
60 designated as a school protection officer shall request such designation in writing, and submit  
61 it to the superintendent of the school district which employs ~~him or her~~ **such individual** as a  
62 teacher or administrator. Along with this request, any teacher or administrator seeking to carry  
63 a concealed firearm on school property shall also submit proof that ~~he or she~~ **such individual**  
64 has a valid concealed carry endorsement or permit, and all teachers and administrators seeking  
65 the designation of school protection officer shall submit a certificate of school protection officer  
66 training program completion from a training program approved by the director of the department  
67 of public safety which demonstrates that such person has successfully completed the training  
68 requirements established by the POST commission under chapter 590 for school protection  
69 officers.

70 7. No school district ~~may~~ **shall** designate ~~a teacher or administrator~~ **any individual**  
71 as a school protection officer unless such person has successfully completed a school protection  
72 officer training program~~, which~~ **that** has been approved by the director of the department of  
73 public safety. No school district shall allow a school protection officer to carry a concealed  
74 firearm on school property unless the school protection officer has a valid concealed carry  
75 endorsement or permit.

76 8. **(1)** Any school district that designates a ~~teacher or administrator as a~~ school  
77 protection officer shall, within thirty days **of such designation**, notify~~;~~ in writing~~;~~ the director  
78 of the department of public safety of the designation, which shall include the following:

79 ~~[(1)]~~ **(a)** The full name, date of birth, and address of the officer;

80 ~~[(2)]~~ **(b)** The name of the school district; and

81 ~~[(3)]~~ **(c)** The date such person was designated as a school protection officer.

82 **(2)** Notwithstanding any other provisions of law to the contrary, any identifying  
83 information collected under the authority of this subsection shall not be considered public  
84 information and shall not be subject to a request for public records made under chapter 610.

85 9. A school district may revoke the designation of ~~a person~~ **an individual** as a school  
86 protection officer for any reason and shall immediately notify the designated school protection  
87 officer in writing of the revocation. The school district shall also within thirty days of the  
88 revocation notify the director of the department of public safety in writing of the revocation of  
89 the designation of such ~~person~~ **individual** as a school protection officer. ~~[A person]~~ **An**

90 **individual** who has had the designation of school protection officer revoked has no right to  
91 appeal the revocation decision.

92 10. The director of the department of public safety shall maintain a listing of all  
93 ~~[persons]~~ **individuals** designated by school districts as school protection officers and shall make  
94 this list available to all law enforcement agencies.

95 11. Before a school district may designate a ~~[teacher or administrator as a]~~ school  
96 protection officer, the school board shall hold a public hearing on whether to allow such  
97 designation. Notice of the hearing shall be published at least fifteen days before the date of the  
98 hearing in a newspaper of general circulation within the city or county in which the school  
99 district is located. The board may determine at a closed meeting, as "closed meeting" is defined  
100 under section 610.010, whether to authorize the ~~[designated school protection officer to carry a~~  
101 ~~concealed firearm or a self-defense spray device]~~ **individual to serve the school district as a**  
102 **school protection officer.**

590.207. Notwithstanding any other provision of law to the contrary, any person  
2 designated as a school protection officer under the provisions of section 160.665 who allows any  
3 such firearm out of ~~[his or her]~~ **such officer's** personal control while that firearm is on school  
4 property as provided under ~~[subsection 2 of]~~ section 160.665 shall be guilty of a class B  
5 misdemeanor and may be subject to employment termination proceedings within the school  
6 district **if such school protection officer is an elementary or secondary school teacher or**  
7 **administrator or dismissal if such school protection officer is a volunteer under section**  
8 **160.665.**

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