

FIRST REGULAR SESSION

HOUSE BILL NO. 428

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE PROUDIE.

0393H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 590, RSMo, by adding thereto one new section relating to peace officer body cameras.

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 590.1026, to read as follows:

590.1026. 1. Beginning January 1, 2022, all uniformed peace officers in this state shall wear video cameras affixed to the peace officers' uniform while on duty. The body camera shall record any interaction between a peace officer and a member of the public and shall include both audio and video. The provisions of this section shall not apply to detectives or other peace officers while they are working in an undercover capacity or to any peace officer in any situation when the wearing of such a video camera would endanger the safety of the officer or the public.

2. In order to facilitate uniformity throughout the state, the department of public safety shall develop guidelines for the use of body cameras by state and local law enforcement agencies. The guidelines shall include, but not be limited to, specifications as to which peace officers must wear body cameras, when body cameras must be worn and activated, restrictions on the use of body cameras, the process to obtain consent of victims and witnesses before using body cameras during an interview, the retention and release of data recorded by body cameras, and access to the data recorded by body cameras. The guidelines developed by the department shall be in compliance with section 610.100.

3. State and local law enforcement agencies shall develop policies and procedures for the use of officer-worn body cameras under the guidelines adopted by the department

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 of public safety under subsection 2 of this section. All recorded data shall be maintained
19 by the law enforcement agency for a minimum of sixty days.

20 4. State and local law enforcement agencies shall provide comprehensive training
21 for all peace officers regarding the use of officer-worn body cameras. Such training shall
22 include, but not be limited to, the following:

23 (1) Discussion of department policy regarding the use of officer-worn body cameras
24 and the distribution of a written copy of the official department policy on officer-worn
25 body cameras;

26 (2) Review of all relevant state laws governing consent, evidence, privacy, and
27 public disclosure of recordings;

28 (3) Procedure for camera use; and

29 (4) Scenario-based exercises intended to replicate situations an officer could
30 encounter when using an officer-worn body camera.

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

✓