

SENATE BILL NO. 1240

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR BRATTIN.

5869S.01I

ADRIANE D. CROUSE, Secretary

AN ACT

To amend chapter 407, RSMo, by adding thereto one new section relating to the organized retail crime task force.

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

Section A. Chapter 407, RSMo, is amended by adding thereto one new section, to be known as section 407.501, to read as follows:

407.501. 1. There is hereby established the "Organized Retail Crime Task Force" within the office of the attorney general to combat crimes that relate to the stealing, embezzling, or obtaining by fraud, false pretenses, or other illegal means of retail merchandise for the purpose of reselling the items or for reentering the items into the stream of commerce. The task force shall investigate only offenses or violations that are under the attorney general's jurisdiction.

2. The attorney general shall invite federal, state, and local law enforcement personnel to participate in the task force to more effectively use their combined skills, expertise, and resources. The task force shall review, investigate, and prosecute appropriate cases brought before the task force by law enforcement agencies or authorized loss prevention personnel, or both. Any member of the general assembly may submit the name of a certified peace

18 officer to the attorney general and recommend the officer's
19 placement on the task force.

20 3. Members of the task force shall do the following:

21 (1) Investigate, apprehend, and prosecute, as
22 appropriate, individuals or entities that participate in the
23 purchase, sale, or distribution of stolen property from a
24 retail establishment or through the use of an internet site;
25 and

26 (2) Target individuals or entities that commit theft
27 and other property crimes for financial gain.

28 4. The attorney general shall use moneys appropriated
29 to the office of the attorney general for the task force to
30 enter into one or more intergovernmental agreements with
31 other state and local law enforcement agencies and with any
32 similar organized retail theft task force program that
33 coordinates a national network of coordinated task forces
34 that assist federal, state, local, and tribal law
35 enforcement agencies in investigations, forensic
36 examinations, and prosecutions related to organized retail
37 theft.

38 5. The task force shall consist of at least one full-
39 time prosecutor, one paralegal, one support staff person, at
40 least two investigators, and four peace officers. The task
41 force shall have a regularly scheduled meeting to review
42 cases and provide updates on ongoing cases to all members of
43 the task force.

44 6. On or before July first of each year, the task
45 force shall submit a report to the general assembly on the
46 task force's activities and any recommendations for
47 legislative action relating to criminal penalties for crimes
48 that have a negative impact on the state's economy.

49 7. (1) There is hereby created in the state treasury
50 the "Organized Retail Crime Task Force Fund", which shall
51 consist of moneys appropriated by the general assembly for
52 operational expenses of the task force and for hiring one
53 attorney, one paralegal, two investigators, and one support
54 person within the office of the attorney general, and four
55 peace officers who are assigned to the task force to focus
56 specifically on investigating and prosecuting organized
57 retail crime. The state treasurer shall be custodian of the
58 fund. In accordance with sections 30.170 and 30.180, the
59 state treasurer may approve disbursements. The fund shall
60 be a dedicated fund and money in the fund shall be used
61 solely by the attorney general for the purposes of this
62 section.

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

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

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