

# SENATE BILL NO. 1241

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR BRATTIN.

5820S.01I

ADRIANE D. CROUSE, Secretary

## AN ACT

To repeal sections 590.040 and 590.050, RSMo, and to enact in lieu thereof two new sections relating to peace officer training requirements.

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

Section A. Sections 590.040 and 590.050, RSMo, are  
2 repealed and two new sections enacted in lieu thereof, to be  
3 known as sections 590.040 and 590.050, to read as follows:

590.040. 1. The POST commission shall set the minimum  
2 number of hours of basic training for licensure as a peace  
3 officer no lower than four hundred seventy and no higher  
4 than six hundred, with the following exceptions:

5 (1) Up to one thousand hours may be mandated for any  
6 class of license required for commission by a state law  
7 enforcement agency;

8 (2) As few as one hundred twenty hours may be mandated  
9 for any class of license restricted to commission as a  
10 reserve peace officer with police powers limited to the  
11 commissioning political subdivision;

12 (3) Persons validly licensed on August 28, 2001, may  
13 retain licensure without additional basic training;

14 (4) Persons licensed and commissioned within a county  
15 of the third classification before July 1, 2002, may retain  
16 licensure with one hundred twenty hours of basic training if  
17 the commissioning political subdivision has adopted an order  
18 or ordinance to that effect;

19           (5) Persons serving as a reserve officer on August 27,  
20 2001, within a county of the first classification or a  
21 county with a charter form of government and with more than  
22 one million inhabitants on August 27, 2001, having  
23 previously completed a minimum of one hundred sixty hours of  
24 training, shall be granted a license necessary to function  
25 as a reserve peace officer only within such county. For the  
26 purposes of this subdivision, the term "reserve officer"  
27 shall mean any person who serves in a less than full-time  
28 law enforcement capacity, with or without pay and who,  
29 without certification, has no power of arrest and who,  
30 without certification, must be under the direct and  
31 immediate accompaniment of a certified peace officer of the  
32 same agency at all times while on duty; and

33           (6) The POST commission shall provide for the  
34 recognition of basic training received at law enforcement  
35 training centers of other states, the military, the federal  
36 government and territories of the United States regardless  
37 of the number of hours included in such training and shall  
38 have authority to require supplemental training as a  
39 condition of eligibility for licensure.

40           2. The director shall have the authority to limit any  
41 exception provided in subsection 1 of this section to  
42 persons remaining in the same commission or transferring to  
43 a commission in a similar jurisdiction.

44           3. The basic training of every peace officer, except  
45 agents of the conservation commission, shall include at  
46 least thirty hours of training in the investigation and  
47 management of cases involving domestic and family violence.  
48 Such training shall include instruction, specific to  
49 domestic and family violence cases, regarding: report  
50 writing; physical abuse, sexual abuse, child fatalities and

51 child neglect; interviewing children and alleged  
52 perpetrators; the nature, extent and causes of domestic and  
53 family violence; the safety of victims, other family and  
54 household members and investigating officers; legal rights  
55 and remedies available to victims, including rights to  
56 compensation and the enforcement of civil and criminal  
57 remedies; services available to victims and their children;  
58 the effects of cultural, racial and gender bias in law  
59 enforcement; and state statutes. Said curriculum shall be  
60 developed and presented in consultation with the department  
61 of health and senior services, the children's division,  
62 public and private providers of programs for victims of  
63 domestic and family violence, persons who have demonstrated  
64 expertise in training and education concerning domestic and  
65 family violence, and the Missouri coalition against domestic  
66 violence.

67 **4. The basic training of every peace officer, except**  
68 **agents of the conservation commission, shall include at**  
69 **least thirty hours of training and instruction in both**  
70 **United States constitutional law and Missouri constitutional**  
71 **law. Said curriculum shall be developed and presented in**  
72 **consultation with the Missouri Association of Prosecuting**  
73 **Attorneys.**

590.050. 1. The POST commission shall establish  
2 requirements for the continuing education of all peace  
3 officers. Peace officers who make traffic stops shall be  
4 required to receive three hours of training within the law  
5 enforcement continuing education three-year reporting period  
6 concerning the prohibition against racial profiling and such  
7 training shall promote understanding and respect for racial  
8 and cultural differences and the use of effective,  
9 noncombative methods for carrying out law enforcement duties

10 in a racially and culturally diverse environment. **Peace**  
11 **officers shall also be required to receive three hours of**  
12 **training within the law enforcement continuing education**  
13 **three year reporting period on statutory and United States**  
14 **and Missouri constitutional law updates.**

15 2. The director shall license continuing education  
16 providers and may probate, suspend and revoke such licenses  
17 upon written notice stating the reasons for such action.  
18 Any person aggrieved by a decision of the director pursuant  
19 to this subsection may appeal as provided in chapter 536.

20 3. The costs of continuing law enforcement education  
21 shall be reimbursed in part by moneys from the peace officer  
22 standards and training commission fund created in section  
23 590.178, subject to availability of funds, except that no  
24 such funds shall be used for the training of any person not  
25 actively commissioned or employed by a county or municipal  
26 law enforcement agency.

27 4. The director may engage in any activity intended to  
28 further the professionalism of peace officers through  
29 training and education, including the provision of  
30 specialized training through the department of public safety.

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