

FIRST REGULAR SESSION  
HOUSE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 876**  
**101ST GENERAL ASSEMBLY**

1902H.08F

DANA RADEMAN MILLER, Chief Clerk

---

**AN ACT**

To repeal sections 566.145, 575.095, 590.030, 590.070, and 590.500, RSMo, and to enact in lieu thereof eleven new sections relating to law enforcement officers, with penalty provisions and a delayed effective date for a certain section.

---

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

Section A. Sections 566.145, 575.095, 590.030, 590.070, and 590.500, RSMo, are  
2 repealed and eleven new sections enacted in lieu thereof, to be known as sections 566.145,  
3 574.110, 575.095, 590.030, 590.070, 590.075, 590.500, 590.805, 590.1150, 590.1152, and  
4 590.1265, to read as follows:

566.145. 1. A person commits the offense of sexual conduct **in the course of public**  
2 **duty if the person engages in sexual conduct:**

3 (1) With a **detainee, a prisoner, or an offender** ~~[if he or she]~~ **and the person:**

4 ~~[(1)]~~ (a) Is an employee of, or assigned to work in, any jail, prison or correctional facility  
5 and engages in sexual conduct with a prisoner or an offender who is confined in a jail, prison,  
6 or correctional facility; ~~or~~

7 ~~————(2)]~~ (b) Is a probation and parole officer and engages in sexual conduct with an offender  
8 who is under the direct supervision of the officer; **or**

9 (c) **Is a law enforcement officer and engages in sexual conduct with a detainee or**  
10 **prisoner who is in the custody of such officer; or**

11 (2) **With someone who is not a detainee, a prisoner, or an offender and the person**  
12 **is:**

13 (a) **A probation and parole officer, a police officer, or an employee of, or assigned**  
14 **to work in, any jail, prison, or correctional facility;**

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.

15 (b) On duty; and

16 (c) The offense was committed by means of coercion as defined in section 566.200.

17 2. For the purposes of this section the following terms shall mean:

18 (1) "Detainee", a person deprived of liberty and kept under involuntary restraint,  
19 confinement, or custody;

20 (2) "Offender", includes any person in the custody of a prison or correctional facility and  
21 any person who is under the supervision of the state board of probation and parole;

22 ~~[(2)]~~ (3) "Prisoner", includes any person who is in the custody of a jail, whether pretrial  
23 or after disposition of a charge.

24 3. The offense of sexual conduct ~~[with a prisoner or offender]~~ in the course of public  
25 duty is a class E felony.

26 4. Consent of a detainee, a prisoner ~~[or]~~, an offender, or any other person is not a  
27 defense.

574.110. 1. A person commits the offense of using a laser pointer if such person  
2 knowingly directs a light from a laser pointer at a uniformed safety officer, including a  
3 peace officer as defined under section 590.010, security guard, firefighter, emergency  
4 medical worker, or other uniformed municipal, state, or federal officer.

5 2. As used in this section, "laser pointer" means a device that emits a visible light  
6 amplified by the stimulated emission of radiation.

7 3. The offense of using a laser pointer is a class A misdemeanor.

575.095. 1. A person commits the offense of tampering with a judicial officer if, with  
2 the purpose to harass, intimidate or influence a judicial officer in the performance of such  
3 officer's official duties, such person:

4 (1) Threatens or causes harm to such judicial officer or members of such judicial officer's  
5 family;

6 (2) Uses force, threats, or deception against or toward such judicial officer or members  
7 of such judicial officer's family;

8 (3) Offers, conveys or agrees to convey any benefit direct or indirect upon such judicial  
9 officer or such judicial officer's family;

10 (4) Engages in conduct reasonably calculated to harass or alarm such judicial officer or  
11 such judicial officer's family, including stalking pursuant to section 565.225 or 565.227.

12 2. A judicial officer for purposes of this section shall be a judge, arbitrator, special  
13 master, juvenile officer, deputy juvenile officer, state prosecuting or circuit attorney, state  
14 assistant prosecuting or circuit attorney, juvenile court commissioner, state probation or parole  
15 officer, or referee or the attorney general or an assistant attorney general of this state.

16 3. A judicial officer's family for purposes of this section shall be:

- 17 (1) Such officer's spouse; or  
18 (2) Such officer or such officer's spouse's ancestor or descendant by blood or adoption;  
19 or  
20 (3) Such officer's stepchild, while the marriage creating that relationship exists.  
21 4. The offense of tampering with a judicial officer is a class D felony.

590.030. 1. The POST commission shall establish minimum standards for the basic  
2 training of peace officers. Such standards may vary for each class of license established pursuant  
3 to subsection 2 of section 590.020.

4 2. The director shall establish minimum age, citizenship, and general education  
5 requirements and may require a qualifying score on a certification examination as conditions of  
6 eligibility for a peace officer license. Such general education requirements shall require  
7 completion of a high school program of education under chapter 167 or obtainment of a General  
8 Educational Development (GED) certificate.

9 3. The director shall provide for the licensure, with or without additional basic training,  
10 of peace officers possessing credentials by other states or jurisdictions, including federal and  
11 military law enforcement officers.

12 4. The director shall establish a procedure for obtaining a peace officer license and shall  
13 issue the proper license when the requirements of this chapter have been met.

14 5. As conditions of licensure, all licensed peace officers shall:

15 (1) Obtain continuing law enforcement education pursuant to rules to be promulgated  
16 by the POST commission; ~~and~~

17 (2) Maintain a current address of record on file with the director; and

18 **(3) Submit to being fingerprinted on or before January 1, 2022, and at any time a**  
19 **peace officer is commissioned with a different law enforcement agency, for the purposes**  
20 **of a criminal history background check and enrollment in the state and federal Rap Back**  
21 **programs, pursuant to section 43.540. The criminal history background check shall**  
22 **include the records of the Federal Bureau of Investigation. The resulting report shall be**  
23 **forwarded to the officer's commissioning law enforcement agency at the time of enrollment**  
24 **and Rap Back enrollment shall be for the purpose of the requirements of subsection 3 of**  
25 **section 590.070 and subsection 2 of section 590.118. An officer shall take all necessary steps**  
26 **to maintain enrollment in Rap Back for as long as the officer is commissioned with a law**  
27 **enforcement agency.**

28 6. A peace officer license shall automatically expire if the licensee fails to hold a  
29 commission as a peace officer for a period of five consecutive years, provided that the POST  
30 commission shall provide for the relicensure of such persons and may require retraining as a  
31 condition of eligibility for relicensure, and provided that the director may provide for the

32 continuing licensure, subject to restrictions, of persons who hold and exercise a law enforcement  
33 commission requiring a peace officer license but not meeting the definition of a peace officer  
34 pursuant to this chapter.

35 **7. All law enforcement agencies shall enroll in the state and federal Rap Back**  
36 **programs on or before January 1, 2022, and continue to remain enrolled. The law**  
37 **enforcement agency shall take all necessary steps to maintain officer enrollment for all**  
38 **officers commissioned with that agency in the Rap Back programs. An officer shall submit**  
39 **to being fingerprinted at any law enforcement agency upon commissioning and for as long**  
40 **as the officer is commissioned with that agency.**

590.070. 1. The chief executive officer of each law enforcement agency shall, within  
2 thirty days after commissioning any peace officer, notify the director on a form to be adopted by  
3 the director. The director may require the chief executive officer to conduct a current criminal  
4 history background check and to forward the resulting report to the director.

5 2. The chief executive officer of each law enforcement agency shall, within thirty days  
6 after any licensed peace officer departs from employment or otherwise ceases to be  
7 commissioned, notify the director on a form to be adopted by the director. Such notice shall state  
8 the circumstances surrounding the departure from employment or loss of commission and shall  
9 specify any of the following that apply:

10 (1) The officer failed to meet the minimum qualifications for commission as a peace  
11 officer;

12 (2) The officer violated municipal, state or federal law;

13 (3) The officer violated the regulations of the law enforcement agency; or

14 (4) The officer was under investigation for violating municipal, state or federal law, or  
15 for gross violations of the law enforcement agency regulations.

16 3. Whenever the chief executive officer of a law enforcement agency has reasonable  
17 grounds to believe that any peace officer commissioned by the agency is subject to discipline  
18 pursuant to section 590.080, the chief executive officer shall report such knowledge to the  
19 director.

20 **4. Notwithstanding any other provision of law to the contrary, the chief executive**  
21 **officer of each law enforcement agency has absolute immunity from suit for compliance**  
22 **with this section, unless the chief executive officer presented false information to the**  
23 **director with the intention of causing reputational harm to the peace officer.**

**590.075. The chief executive officer of each law enforcement agency shall, prior to**  
2 **commissioning any peace officer, request a certified copy from the director of all**  
3 **notifications received pursuant to section 590.070 and the director shall provide all**

4 **notifications to the chief executive officer who requested the notifications within three**  
5 **business days after receipt of request.**

6 590.500. 1. ~~[Any law enforcement officer, other than an elected sheriff or deputy, who~~  
7 ~~possesses the duty and power of arrest for violations of the criminal laws of this state or for~~  
8 ~~violations of ordinances of counties or municipalities of this state, who is regularly employed for~~  
9 ~~more than thirty hours per week, and who is employed by a law enforcement agency of this state~~  
10 ~~or political subdivision of this state which employs more than fifteen law enforcement officers,~~  
11 ~~shall be given upon written request a meeting within forty-eight hours of a dismissal, disciplinary~~  
12 ~~demotion or suspension that results in a reduction or withholding of salary or compensatory time.~~  
13 ~~The meeting shall be held before any individual or board as designated by the governing body.~~  
14 ~~At any such meeting, the employing law enforcement agency shall at a minimum provide a brief~~  
15 ~~statement, which may be oral, of the reason of the discharge, disciplinary demotion or~~  
16 ~~suspension, and permit the law enforcement officer the opportunity to respond. The results from~~  
17 ~~such meeting shall be reduced to writing.] The provisions of this section shall be known and~~  
18 ~~may be cited as the "Law Enforcement Officers' Bill of Rights". Any law enforcement~~  
19 ~~agency that has substantially similar or greater procedures shall be deemed to be in compliance~~  
20 ~~with this section. [This section shall not apply to an officer serving in a probationary period or~~  
21 ~~to the highest ranking officer of any law enforcement agency.]~~

22 **2. For purposes of this section, the following terms mean:**

23 **(1) "Board", any individual or body authorized by an agency or department to**  
24 **hear and make final decisions regarding appeals of disciplinary actions issued by an**  
25 **agency or department;**

26 **(2) "Color of law", any act by a law enforcement officer, whether on duty or off**  
27 **duty, that is performed in furtherance of his or her sworn duty to enforce laws and to**  
28 **protect and serve the public;**

29 **(3) "Economic loss", any economic loss including, but not limited to, loss of**  
30 **overtime accrual, overtime income, sick time accrual, sick time, secondary employment**  
31 **income, holiday pay, and vacation pay;**

32 **(4) "Good cause", sufficient evidence or facts that would support a party's request**  
33 **for extensions of time or any other requests seeking accommodations outside the scope of**  
34 **the rules set out in this section;**

35 **(5) "Law enforcement officer", any sworn peace officer with the power to arrest**  
36 **for a violation of the criminal code who is employed by any unit of the state or any county,**  
37 **charter county, city, charter city, municipality, district, college, university, or any other**  
38 **political subdivision or is employed by the board of police commissioners as defined in**

34 **chapter 84. "Law enforcement officer" shall not include any officer who is the highest**  
35 **ranking officer in the law enforcement agency;**

36 **(6) "Record", any transcription or audio or video recording of all interviews or**  
37 **hearings and complete documentary file.**

38 **3. Whenever a law enforcement officer is under investigation or is subjected to**  
39 **questioning that the officer reasonably believes could lead to disciplinary action, demotion,**  
40 **dismissal, transfer, or placement on a status that could lead to economic loss, the**  
41 **investigation or questioning shall be conducted under the following conditions:**

42 **(1) The law enforcement officer who is the subject of the investigation shall be**  
43 **informed, in writing, of the existence and nature of the alleged violation and the individuals**  
44 **who will be conducting the investigation. Notice shall be provided to the officer along with**  
45 **a copy of the complaint at least twenty-four hours prior to any interrogation or interview**  
46 **of the officer;**

47 **(2) Any person, including members of the same agency or department as the officer**  
48 **under investigation, filing a complaint against a law enforcement officer shall have the**  
49 **complaint supported by a written statement outlining the complaint that includes the**  
50 **personal identifying information of the person filing the complaint. All personal**  
51 **identifying information shall be held confidential by the investigating agency;**

52 **(3) When a law enforcement officer is questioned or interviewed regarding matters**  
53 **pertaining to his or her law enforcement duties or actions taken within the scope of his or**  
54 **her employment, such questioning shall be conducted for a reasonable length of time and**  
55 **only while the officer is on duty unless exigent circumstances exist that necessitate**  
56 **questioning the officer while he or she is off duty;**

57 **(4) Any interviews or questioning shall be conducted at a secure location at the**  
58 **agency that is conducting the investigation or at the place where the officer reports to**  
59 **work, unless the officer consents to another location;**

60 **(5) Law enforcement officers may be questioned by up to two investigators and**  
61 **shall be informed of the name, rank, and command of the officer or officers conducting the**  
62 **investigation; except that, separate investigators shall be assigned to investigate alleged**  
63 **department policy violations and alleged criminal violations;**

64 **(6) Interview sessions shall be for a reasonable period of time. There shall be times**  
65 **provided for the officer to allow for such personal necessities and rest periods as are**  
66 **reasonably necessary;**

67 **(7) Prior to an interview session, the investigator or investigators conducting the**  
68 **investigation shall advise the law enforcement officer of the rule set out in *Garrity v. New***  
69 ***Jersey*, 385 U.S. 493 (1967), specifically that the law enforcement officer is being ordered**

70 to answer questions under threat of disciplinary action and that the officer's answers to the  
71 questions will not be used against the officer in criminal proceedings;

72 (8) Law enforcement officers shall not be threatened, harassed, or promised  
73 rewards to induce them into answering any question; except that, law enforcement officers  
74 may be compelled by their employer to give protected *Garrity* statements to an investigator  
75 under the direct control of the employer, but such compelled statements shall not be used  
76 or derivatively used against the officer in any aspect of a criminal case brought against the  
77 officer;

78 (9) Law enforcement officers under investigation are entitled to have an attorney  
79 or any duly authorized representative present during any questioning that the law  
80 enforcement officer reasonably believes may result in disciplinary action. The questioning  
81 shall be suspended for a period of up to twenty-four hours if the officer requests  
82 representation;

83 (10) Prior to the law enforcement officer being interviewed, the officer and his or  
84 her representative shall have the opportunity to review the complaint;

85 (11) Law enforcement officers or their designated representative shall have the  
86 right to bring their own recording device and may record all aspects of the interview;

87 (12) The law enforcement agency conducting the investigation shall have ninety  
88 days from receipt of a citizen complaint or from the date the agency became aware of the  
89 alleged conduct upon which the allegation rests to complete the investigation. The date  
90 shall be stated on the document providing notice to the law enforcement officer. The  
91 agency shall determine the disposition of the complaint and render a disciplinary decision,  
92 if any, within ninety days. The agency may, for good cause, petition the board overseeing  
93 the administration of discipline for an extension of time to complete the investigation.  
94 Absent consent from the officer being investigated, the board overseeing the administration  
95 of discipline shall set the petition for extension for hearing and provide notice of the  
96 hearing to the law enforcement officer under investigation. The officer shall have the right  
97 to attend the hearing and to present evidence and arguments against extension. If the  
98 board finds the agency has shown good cause for the granting of an extension of time to  
99 complete the investigation, the board shall grant an extension of up to sixty days. The  
100 agency shall be limited to two extensions per investigation; except that, if there is an  
101 ongoing criminal investigation, there shall be no limitation on the amount of sixty-day  
102 extensions;

103 (13) Within five days of the conclusion of the administrative investigation, the  
104 investigator shall inform the officer in writing of the investigative findings and any  
105 recommendation for further action, including discipline;

106           **(14) A complete record of the administrative investigation shall be kept by the law**  
107 **enforcement agency conducting such investigation. Upon completion of the investigation,**  
108 **a copy of the entire record including, but not limited to, audio, video, or transcribed**  
109 **statements, shall be provided to the officer or the officer's representative within five**  
110 **business days of the officer's written request. The agency may request a protective order**  
111 **to redact all personal identifying witness information;**

112           **(15) Law enforcement officers shall have the right to compensation for any**  
113 **economic loss incurred during an investigation if the alleged misconduct is not sustained**  
114 **by the agency conducting the investigation; and**

115           **(16) All records compiled as a result of any investigation subject to the provisions**  
116 **of this section shall be held confidential and shall not be subject to disclosure under**  
117 **chapter 610 except by lawful subpoena or court order.**

118           **4. Law enforcement officers who are suspended without pay, demoted, terminated,**  
119 **transferred, or placed on a status resulting in economic loss shall be entitled to a full due**  
120 **process hearing. The proceeding shall constitute a contested case under chapter 536. The**  
121 **components of the hearing shall include, at a minimum:**

122           **(1) The right of the law enforcement officer to be represented by an attorney or**  
123 **other individual of his or her choice during the hearing;**

124           **(2) The right of the law enforcement officer or his or her attorney to conduct**  
125 **discovery prior to the hearing. Depositions may be taken in the same manner and under**  
126 **the same conditions as provided for in the Missouri civil rules of civil procedure for civil**  
127 **cases in the circuit court. Subpoenas may be issued by the board conducting the hearing**  
128 **or by the circuit court or the office of the clerk for the county where the agency has its**  
129 **principal place of business;**

130           **(3) Seven days' notice of the hearing date and time;**

131           **(4) An opportunity for the law enforcement officer or his or her attorney to access**  
132 **and review the investigatory record at least seven days prior to the hearing;**

133           **(5) The right of the law enforcement officer or his or her attorney to present**  
134 **witnesses and evidence in the officer's defense and a right to cross-examine any adverse**  
135 **witnesses against the officer;**

136           **(6) The right of the law enforcement officer to refuse to testify at the hearing if the**  
137 **officer is concurrently facing criminal charges in connection with the same incident. A law**  
138 **enforcement officer's decision not to testify shall not result in additional internal charges**  
139 **or discipline;**



140 (7) A complete record of the hearing to be kept by the agency for purposes of  
141 appeal. The record shall be provided to the law enforcement officer or his or her attorney  
142 upon written request; and

143 (8) The entire record of the hearing to remain confidential and shall not be subject  
144 to disclosure under chapter 610 except by lawful subpoena or court order.

145 5. Any decision, order, or action taken following the hearing shall be in writing and  
146 shall be accompanied by findings of fact. The findings shall consist of a concise statement  
147 upon each issue in the case. A copy of the decision or order accompanying the findings and  
148 conclusions along with the written action and right of appeal, if any, shall be delivered or  
149 mailed promptly to the law enforcement officer or to the officer's attorney or  
150 representative of record.

151 6. Law enforcement officers shall have the opportunity to provide a written  
152 response to any adverse materials placed in their personnel file, and such written response  
153 shall be permanently attached to the adverse material.

154 7. Law enforcement officers shall have the right to compensation for any economic  
155 loss incurred as a result of disciplinary action by an agency if the alleged misconduct is not  
156 sustained by the administrative body hearing the disciplinary appeal.

157 8. Law enforcement officers may petition the circuit court in the county in which  
158 the law enforcement agency has its principal place of business to review the decision of the  
159 administrative body hearing the appeal of discipline. Upon a finding that the discipline  
160 was not justified, the circuit court may award the law enforcement officer back pay and  
161 costs incurred in bringing the suit, including attorney's fees.

162 9. Employers shall defend and indemnify law enforcement officers from and  
163 against civil claims made against them in their official and individual capacities if the  
164 alleged conduct arose in the course and scope of their obligations and duties as law  
165 enforcement officers. This includes any actions taken while off duty if such actions were  
166 taken under color of law. In the event a law enforcement officer is convicted of or pleads  
167 guilty to criminal charges arising out of the same conduct, the employer shall no longer be  
168 obligated to defend and indemnify the officer in connection with related civil claims.

169 10. No law enforcement officer shall be disciplined, demoted, dismissed,  
170 transferred, or placed on a status resulting in economic loss as a result of the officer's  
171 assertion of his or her constitutional rights in any judicial proceeding unless the officer  
172 admits to wrongdoing, in which case the provisions of this section shall not apply.

173 11. No state or local governmental unit including, but not limited to, a county,  
174 charter county, city, charter city, municipality, district, college, university, or any other  
175 political subdivision that employs a law enforcement officer shall enact, promulgate,

176 enforce, or follow any law, regulation, or policy that would abolish, conflict with, modify,  
177 or in any way diminish any right or remedy provided to law enforcement officers under  
178 this section.

179 **12. The rights set out in this section are minimum standards to be applied**  
180 **throughout the state. However, nothing in this section shall prohibit a law enforcement**  
181 **agency and the authorized bargaining representative for a law enforcement officer**  
182 **employed by that agency from reaching written agreements providing disciplinary**  
183 **procedures more favorable than those provided in this section.**

184 **13. The remedies provided by this section against law enforcement agencies or**  
185 **governmental bodies shall be in addition to those provided by any other provision of law.**  
186 **Any aggrieved law enforcement officer or authorized representative may seek judicial**  
187 **enforcement of the requirements of these sections. Suits to enforce these sections shall be**  
188 **brought in the circuit court for the county in which the law enforcement agency or**  
189 **governmental body has its principal place of business.**

190 **14. Upon a finding by a preponderance of the evidence that a law enforcement**  
191 **agency, governmental body, or member of such an entity has violated any provision of this**  
192 **section, a court shall void any action taken under this section. Suit for enforcement shall**  
193 **be brought within one year from the time a violation is ascertainable.**

**590.805. 1. A law enforcement officer shall not knowingly use a respiratory**  
2 **choke-hold unless the use is in defense of the officer or another from serious physical**  
3 **injury or death.**

4 **2. A respiratory choke-hold includes the use of any body part or object to attempt**  
5 **to control or disable by applying pressure to a person's neck with the purpose of**  
6 **controlling or restricting such person's breathing.**

**590.1150. 1. Prior to January 1, 2022, the attorney general shall create a database**  
2 **to coordinate the sharing of information between state, local, and federal law enforcement**  
3 **agencies concerning instances of excessive use of force related to law enforcement matters,**  
4 **accounting for applicable privacy and due process rights. All law enforcement agencies**  
5 **shall provide to the attorney general any information required to be disclosed under**  
6 **Section 590.118 relating to incidents that occurred prior to January 1, 2022.**

7 **2. The database described in subsection 1 of this section shall include a mechanism**  
8 **to track terminations or decertifications of peace officers, criminal convictions of peace**  
9 **officers for on-duty conduct, and civil judgments against peace officers. The database shall**  
10 **account for instances in which a peace officer resigns or retires while under active**  
11 **investigation but shall clearly state that the investigation was not completed and that the**  
12 **police officer may not have been afforded due process. The attorney general shall take**

13 appropriate steps to ensure that the information in the database consists only of instances  
14 in which peace officers were afforded due process or disclose that due process may not  
15 have been afforded.

16 3. The attorney general shall regularly and annually make available to the public  
17 aggregated and anonymized data from the database described in subsection 1 of this  
18 section, as consistent with applicable law.

2 590.1152. Notwithstanding any other provision of law, if any peace officer is  
3 convicted of or pleads guilty or nolo contendere to a felony or is found civilly liable for acts  
4 or omissions that could otherwise amount to felony criminal conduct, the POST  
5 commission shall revoke the peace officer's certification under this chapter. The POST  
6 commission shall not reinstate the peace officer's certification or grant new certification  
7 to the peace officer unless the peace officer is exonerated for such offense by a court. The  
8 POST commission shall record each decertified peace officer in the database created under  
9 section 590.1150.

2 590.1265. 1. The provisions of this section shall be known and may be cited as the  
3 "Police Use of Force Transparency Act of 2021".

3 2. For purposes of this section, the following terms mean:

4 (1) "Law enforcement agency", the same meaning as defined in section 590.1040;

5 (2) "Peace officer", the same meaning as defined in section 590.010;

6 (3) "Use-of-force incident", an incident in which:

7 (a) A fatality occurs that is connected to a use of force by a peace officer;

8 (b) Serious bodily injury occurs that is connected to a use of force by a peace  
9 officer; or

10 (c) In the absence of death or serious bodily injury, a peace officer discharges a  
11 firearm at, or in the direction of, a person.

12 3. Each law enforcement agency shall, at least annually, collect and report local  
13 data on use-of-force incidents involving peace officers to the National Use of Force Data  
14 Collection through the Law Enforcement Enterprise Portal administered by the Federal  
15 Bureau of Investigation.

16 4. Each law enforcement agency shall additionally report the data submitted under  
17 subsection 3 of this section to the department of public safety. Law enforcement agencies  
18 shall not include personally identifying information of individual peace officers in their  
19 reports.

20 5. The department of public safety shall, no later than June 30, 2022, develop  
21 standards and procedures governing the collection and reporting of use-of-force data  
22 under this section. The standards and procedures shall be consistent with the

23 requirements, definitions, and methods of the National Use of Force Data Collection  
24 administered by the Federal Bureau of Investigation.

25         6. The department of public safety shall publish the data reported by law  
26 enforcement agencies under subsection 4 of this section, including statewide aggregate data  
27 and agency-specific data, in a publicly available report. Such data shall be deemed a  
28 public record consistent with the provisions and exemptions contained in chapter 610.

29         7. The department of public safety shall undertake an analysis of any trends and  
30 disparities in rates of use of force by all law enforcement agencies, with a report to be  
31 released to the public no later than January 1, 2025. The report shall be updated  
32 periodically thereafter, but not less than once every five years.

Section B. Section 590.1265 of section A of this act shall become effective on January  
2 1, 2022.

✓