

SECOND REGULAR SESSION

[PERFECTED]

# HOUSE BILL NO. 2167

103RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE DOLAN.

5270H.01P

JOSEPH ENGLER, Chief Clerk

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## AN ACT

To repeal section 27.020, RSMo, and to enact in lieu thereof two new sections relating to employment of certain persons with law enforcement authority, with an emergency clause.

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

Section A. Section 27.020, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 21.158 and 27.020, to read as follows:

**21.158. The general assembly, the house, or the senate may employ legislative security officers of the house or senate who may carry firearms when necessary for the proper discharge of their duties. Such legislative security officers, who shall be licensed peace officers under the peace officer standards and training program (POST), shall have all powers granted to law enforcement officers in this state that are necessary to ensure the proper security and functioning of the general assembly, including the power to apprehend and arrest persons.**

27.020. 1. The attorney general is hereby authorized to appoint such assistant attorneys general as may be necessary to properly perform the duties of his **or her** office and shall fix the compensation of such assistants within the limits of the amount appropriated by the general assembly. Said assistant attorneys general shall hold their office at the pleasure of the attorney general, shall possess the same qualifications as the attorney general, and before entering upon the discharge of their duties shall each take and subscribe to an oath to support the Constitution of the United States and of the state of Missouri and to faithfully demean

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.

8 themselves in office. It shall be their duty to assist the attorney general in his **or her** official  
9 duties with power and authority under his **or her** direction to represent him **or her** in the  
10 discharge of all the duties of his **or her** office.

11 2. The attorney general may, at the request of any officer, department, board, bureau,  
12 commission or agency of the state, assign assistant attorneys general to perform the duties  
13 prescribed by law before or upon behalf of such officer, department, board, bureau,  
14 commission or agency and may, upon request as aforesaid, from time to time reassign such  
15 assistants.

16 3. The attorney general is also authorized to appoint a chief clerk, stenographers,  
17 typists, clerks, ~~[investigators]~~ and such other employees as shall be necessary to properly  
18 perform the duties of his **or her** office ~~[and shall fix the compensation of persons thus~~  
19 ~~employed within the limits of the amount appropriated by the general assembly].~~ Said  
20 employees shall serve during the pleasure of the attorney general. ~~[The assistant attorneys~~  
21 ~~general and the chief clerk, stenographers, typists, clerks, investigators and other employees~~  
22 ~~shall be paid in the same manner and at the same time as the attorney general. The~~  
23 ~~compensation and expenses of said assistants and employees may be paid out of any state or~~  
24 ~~federal funds appropriated to said department for such purposes.]~~

25 4. **The attorney general is further authorized to appoint commissioned and**  
26 **noncommissioned investigators, as shall be necessary to properly perform the duties of**  
27 **his or her office. Investigators shall serve at the pleasure of the attorney general. Each**  
28 **commissioned investigator, upon appointment, shall take and subscribe an oath of office**  
29 **to support the constitution and laws of the United States and the state of Missouri and**  
30 **shall receive a certificate of appointment, a copy of which shall be filed with the**  
31 **secretary of state, issued by the attorney general or his or her designee granting such**  
32 **commissioned investigator all the same powers of arrest held by peace officers to**  
33 **maintain order and preserve the peace in any matter in which the attorney general is**  
34 **appointed or assigned in accordance with the law. Commissioned investigators may**  
35 **assist law enforcement agencies when requested. The certificate of appointment of each**  
36 **commissioned investigator may be withdrawn at any time by the attorney general.**  
37 **Commissioned investigators shall comply with all peace officer standards required by**  
38 **chapter 590.**

39 5. **The attorney general is authorized to fix the compensation of persons**  
40 **employed by him or her within the limits of the amount appropriated by the general**  
41 **assembly. The assistant attorneys general and the chief clerk, stenographers, typists,**  
42 **clerks, investigators, and other employees shall be paid in the same manner and at the**  
43 **same time as the attorney general. The compensation and expenses of such assistants,**

44 **investigators, and other employees may be paid out of any state or federal funds**  
45 **appropriated to such department for such purposes.**

Section B. Because immediate action is necessary to ensure safety within the capitol  
2 building during the current legislative session and thereafter, the enactment of section 21.158  
3 of section A of this act is deemed necessary for the immediate preservation of the public  
4 health, welfare, peace, and safety, and is hereby declared to be an emergency act within the  
5 meaning of the constitution, and the enactment of section 21.158 of section A of this act shall  
6 be in full force and effect upon its passage and approval.

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