

FIRST REGULAR SESSION

# HOUSE BILL NO. 1042

## 102ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE BLAND MANLOVE.

2143H.011

DANA RADEMAN MILLER, Chief Clerk

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### AN ACT

To repeal section 590.805, RSMo, and to enact in lieu thereof one new section relating to peace officer use of force.

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

Section A. Section 590.805, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 590.805, to read as follows:

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

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

**3. A carotid restraint includes the use of any body part or object to apply pressure to the carotid arteries on the sides of a person's neck with the purpose, intent, or effect of controlling or restricting the person's movement or restricting the person's blood flow. The use of a carotid restraint shall not prevent or hinder breathing.**

**4. The use of a respiratory choke-hold or carotid restraint for any purpose except as allowed under subsection 1 of this section shall be cause for a peace officer's immediate dismissal and revocation of license under chapter 590.**

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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.