

FIRST REGULAR SESSION

HOUSE BILL NO. 149

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE ELLINGTON.

0465H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 302, RSMo, by adding thereto one new section relating to vehicular stops and searches by law enforcement.

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

Section A. Chapter 302, RSMo, is amended by adding thereto one new section, to be known as section 302.355, to read as follows:

302.355. Prior to January 1, 2020, the department of revenue's Missouri Driver Guide shall contain educational material concerning vehicular stops and subsequent searches made by law enforcement, which shall include, but not be limited to, the following information advising drivers of their personal rights if stopped by law enforcement:

(1) You have the right to remain silent; if you wish to exercise that right, say it out loud;

(2) You have the right to refuse to consent to a search of yourself or your car;

(3) If you are not under arrest, you have a right to calmly leave;

(4) You have the right to an attorney if you are arrested and should ask for one immediately;

(5) Regardless of your immigration status, you have constitutional rights;

(6) You have the right to remain silent and do not have to discuss your immigration status or citizenship status with law enforcement officers, immigration agents, or any other government officials. You do not have to answer questions about where you were born, whether you are a United States citizen, or how you entered the United States. Separate rules, however, apply at international borders and airports, and for individuals on certain nonimmigrant visas, including tourists and business travelers;

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.

18 **(7) If you are not a United States citizen and an immigration agent requests your**
19 **immigration papers, you are required to show the papers if you have them with you. If you**
20 **are eighteen years of age or older, carry your immigration documents with you at all times;**
21 **if you do not have immigration papers, you should state that you want to remain silent;**

22 **(8) Police misconduct cannot be challenged on the street; do not physically resist**
23 **officers or threaten to file a complaint;**

24 **(9) Write down everything you remember, including law enforcement officer badge**
25 **and patrol car numbers, the agency the officers were from, and any other pertinent details.**
26 **Obtain contact information for witnesses. If you are injured, take photographs of your**
27 **injuries, but seek medical attention first;**

28 **(10) File a written complaint with the law enforcement agency's internal affairs**
29 **division or civilian complaint board; in many cases, such complaint may be filed**
30 **anonymously.**

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