

SECOND REGULAR SESSION

HOUSE BILL NO. 2475

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BAHR.

6135H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 106, RSMo, by adding thereto one new section relating to employment of certain public officials.

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

Section A. Chapter 106, RSMo, is amended by adding thereto one new section, to be known as section 106.215, to read as follows:

106.215. 1. As used in this section, the term "official" shall mean any department director or deputy director, person acting as a department director or deputy director, or member of any board or commission who was appointed to such office by the governor or lieutenant governor.

2. The general assembly is hereby authorized to remove from employment or service any official if it determines that such removal is necessary for the betterment of the public service in a manner consistent with the provisions of this section.

3. A petition signed by sixteen members of the house of representatives and filed with the chief clerk of the house containing allegations supporting the need for removal of the official shall initiate the process. After the removal petition has been filed, the chief clerk shall give a written notice to the secretary of the senate and the official of the intention to remove him or her from office.

4. If the requirements under subsection 3 of this section have been met, the house standing ethics committee shall gather information regarding the allegations set forth in the petition and shall conduct at least one hearing to allow the official to present a defense to the allegations against him or her. This hearing shall be a closed meeting and not open

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.

17 to the public. Within thirty days of its first meeting, the committee shall file a report of its
18 findings with the chief clerk of the house and the secretary of the senate.

19 5. After the committee has filed its report, the members of the house of
20 representatives shall vote on the removal of the official. If a majority of the members of
21 the body vote to remove the official, then the senate shall vote on the removal. If in both
22 houses the majority of the number of votes is in the affirmative, then the official shall be
23 relieved of his or her employment with the state immediately and shall be removed from
24 the position he or she holds. If an official is relieved of employment under this subsection,
25 then such official shall not be eligible for appointment to any position subject to
26 appointment under this section until the convening of the next general assembly.

27 6. For the purposes of this section, "removal is necessary for the betterment of the
28 public service" under any of the following circumstances, but not limited to such
29 circumstances: instances of misconduct, perjury before any committee of the general
30 assembly, violation of any state statute, a conviction or plea of guilty for committing any
31 crime, habitual drunkenness, willful neglect of duty, corruption in office, incompetency,
32 or any offense involving moral turpitude or oppression in office.

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