

**FISCAL NOTE
PRIVATE COST**

**I. Department Title: 17
Division Title: 10
Chapter Title: 2**

Rule Number and Title:	17 CSR 10-2.010 – Regulation and Licensing in General
Type of Rulemaking:	Proposed Rule

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
968	Armed Licensees	\$87,120.00
436 ¹	New Armed Licenses	\$63,220.00
1435	Unarmed licensees	\$93,275.00
2035 ²	New Unarmed Licenses	\$183,150.00
169 ³	Firms, companies, partnerships and corporations⁴	\$50,700.00
50	Administrative Licenses⁵	\$7250.00

¹ This is Board’s estimate of how many new persons wanting armed licenses will apply in the next year. This estimate will be used throughout these Fiscal Notes.

² This is Board’s estimate of how many new persons wanting unarmed licenses will apply in the next year. This estimate will be used throughout these Fiscal Notes.

³ This is the approximate number of companies currently licensed.

⁴ Throughout these fiscal notes, the firms, companies, partnerships and corporations which hold licenses are referred to as “companies” and the licenses they hold as “company licenses.” Board recognizes that the “companies” are actually organized in various forms under the law. The references to “company” and “company license” are made for ease of reference.

⁵ This is a new fee. This is Board’s estimate of how many licenses will be issued per year.

25 ⁶	New Company Licenses	\$10,000.00
Total		\$494,715.00

III. WORKSHEET

The fee for a new armed license is one hundred forty-five dollars (\$145.00) per year. The fee for new unarmed licenses is ninety dollars (\$90.00) per year. The yearly renewal fee for armed licenses is ninety dollars (\$90.00) per year. The yearly renewal fee for unarmed licensees is sixty-five dollars (\$65.00).

In order to assess the fiscal impact to the individuals acquiring new armed licenses, an estimate of the number of new armed licensees, four hundred thirty-six (436) must be multiplied by the fee amount (\$145.00) for armed licenses for a total fiscal impact of \$63,220.00. In order to determine the fiscal impact to individuals acquiring new unarmed licenses, an estimate of the number of new unarmed licensees, 2035, must be multiplied by the fee amount (\$90.00) for unarmed licenses for a total fiscal impact of \$183,150.00.

Currently approximately 968 persons hold armed licenses. With the renewal fee of ninety dollars (\$90.00), the fiscal impact to armed licensees is \$87,120.00. Currently approximately 1435 persons hold unarmed licenses. With the renewal fee of sixty-five dollars (\$65.00), the total fiscal impact to unarmed licensees is \$93,275.00

All firms, companies, partnerships and corporations licensed will pay a company renewal fee in the amount of three hundred dollars (\$300.00) per year. The number of companies holding licenses (169) was multiplied by the company fee (\$300.00) in order to assess the fiscal impact to the current companies holding licenses in the amount of \$50,700.00. Approximately 25 new companies will obtain new licenses during the year. Each will pay the new company license fee of \$400.00 for a total fiscal impact of \$10,000.00.

Board⁷ is instituting an administrative license to be paid by each person supervising a security officer licensee (except for one person companies or anyone who holds another license under these rules). Board estimates that there will be fifty (50) administrative licenses issued at a cost of one hundred forty-five dollars (\$145.00) per license for a total fiscal impact of \$7250.00.

Board has created an optional two-year license and two-year renewal fee for Class A unarmed licensees. Board is unable to predict how many licensees will decide to take advantage of the cost savings offered (\$50.00 savings for a new unarmed license and a \$30 saving for renewals) by these new options. If the company is paying for the license

⁶ This is the number of new companies which Board anticipates will apply for a license in the next year. This estimate will be used throughout these fiscal notes.

⁷ Throughout these fiscal notes, the Board of Police Commissioners of Kansas City, Missouri will be referred to as "Board."

instead of the individual, it is not believed they will not avail themselves of the savings involved due to the high turnover in the ranks of unarmed security officers.

IV. ASSUMPTIONS

These figures make assumptions about the number of new armed, unarmed and company licenses that will be issued each year. They also assume that every individual currently licensed will renew their licenses and that companies will not increase the number of security officers which they are currently licensing nor switch the classifications of the persons they are licensing, i.e., from armed to unarmed or vice versa. These figures also assume that companies pay the license fees for those they license, rather than the individual licensees paying themselves. In fact, Board is aware that some companies pay a portion of the licensing fees for their employees and the employees pay the balance. Board keeps no record of how the various companies operate and how they pay their fees. Therefore the actual cost to these companies cannot be assessed, and it must be assumed that for purposes of this fiscal note that the companies pay the entire fee for the individuals holding licenses with the company.

For a discussion of the full fiscal impact of requiring individuals and companies to be licensed, see Private Entity Fiscal Note for 17 CSR 10-2.040.

Title 17—BOARDS OF POLICE COMMISSIONERS
Division 10—Kansas City Board of Police Commissioners
Chapter 2—Private Security

PROPOSED RESCISSION

17 CSR 10-2.020 Application for a License. This rule, in order to promote and protect the public welfare, required board to investigate the background, qualifications and ability of all applicants and required that applicants use application forms provided by board.

PURPOSE: Board wishes to rescind this rule and adopt a new rule in its place to clarify the language in the rule and insure compliance with the applicable law.

AUTHORITY: section 84.720, RSMo 2000. Original rule filed Dec. 5, 1979, effective March 17, 1980. For intervening history, please consult the Code of State Regulations. Rescinded: Filed March 1, 2021.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Board of Police Commissioners of Kansas City, Missouri, 1125 Locust St., Kansas City, Missouri 64106. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 17—BOARDS OF POLICE COMMISSIONERS
Division 10—Kansas City Board of Police Commissioners
Chapter 2—Private Security

PROPOSED RULE

17 CSR 10-2.020 Application for a License

PURPOSE: In order to promote and protect the public welfare, the Board of Police Commissioners (board) shall license and regulate those persons wishing to provide private security services or proprietary private investigative services. Application forms provided by the board shall be used by all applicants. All forms may be downloaded at www.kcpd.org.

(1) All individual applicants are required to complete an “Employer’s Application for Employment of Private Security/Proprietary Private Investigator ‘Intent to Hire Form’” (Form 5409 P.D.). This form must be completed any time a license is applied for, renewed, transferred, or upgraded. All firms, companies, partnerships, corporation, sole proprietorships, and political subdivisions to be licensed under the provisions of section (5) below shall complete “Application for Company License” (Form 5486 P.D.)

(2) The board shall conduct a criminal history records check of each applicant and may conduct investigations as provided by section 84.720, RSMo. The applicant must pay the fee for the criminal history records check and fingerprinting at the time of application and upon each annual renewal.

(3) Each applicant shall submit to photographing and fingerprinting and shall provide proof of identity by submitting with the application a photo identification card, original Social Security card, proof of

citizenship, permanent resident card, Military DD214, most recent name change documentation from a court of competent jurisdiction, or other equivalent identification. If an applicant provides proof of identity by submitting permanent resident card, the applicant must provide sufficient proof that they have established a *bona fide* residence in the United States of America. If an applicant requests a replacement license because of a name change, the applicant must supply to the Private Officers Licensing Unit (POLU) the appropriate name change documentation from a court of competent jurisdiction.

(4) Each applicant shall provide any additional information requested by the board to conduct its investigation and shall comply with all requests of the board in the conduct of its investigation for a license under these rules, including without limitation, execution of a release allowing the board to review personnel records from prior employers.

(5) Firms, companies, partnerships, corporations, sole proprietorships, or political subdivisions engaging in the business of providing private security services or proprietary private investigative services or firms, companies, partnerships, corporations, sole proprietorships, or political subdivisions that employ other individuals to perform private security services or proprietary private investigative services shall be licensed in addition to any individual license required under these rules. An applicant wishing to obtain a company license for the sole purpose of employing proprietary private investigators must meet the guidelines outlined in 17 CSR 10-2.050(1)(C). Any license granted under this section shall be designated a “company license.” All company names must be approved by POLU. All licensed companies are required to annually pay a company fee by January 31 of each year and are required to comply with the terms of this regulation and all federal, state, and local laws. Failure to pay such fee will result in the suspension of the company license. In the absence of the annual company license, all licenses granted to employees or agents of that company are automatically suspended.

(6) Before being licensed under these rules, company applicants shall file with the board a certificate of liability insurance in the amount of one (1) million dollars or the equivalent, naming the board as an additional insured and certificate holder and protecting the board from liability judgments, suits, and claims, including, but not limited to, suits for bodily injury, personal injury, including false arrest, libel, slander, invasion of privacy, and property damage arising out of the licensing of individuals and entities providing private security services or proprietary private investigative services. The insurance must be written by a company approved by the Missouri superintendent of insurance and approved by the board with respect to its form, manner of execution, and sufficiency, provided further however, before a license is issued to a nonresident of Missouri, the applicant must file with the Missouri Secretary of State a written consent for jurisdiction of the courts of Missouri, and any case(s) arising from any contract for performance of private security services or proprietary private investigative services made within the city are to be performed wholly or in part, in the city or in any way connected with the business within the city or occurring in connection with the business of the one licensed within the city. Any company licensed must provide the insurance specified and cover all employees; provided however, that in the event a suit is filed or claim is made involving the board, the company shall immediately notify the board at which time the licensee may be required to furnish additional insurance. Failure of a licensee to maintain insurance is grounds for revocation. In the absence of adequate insurance, all licenses granted to employees or agents of that company are automatically suspended. Equivalent shall mean a bond in like amount or a certificate of self-insurance by a company with audited net worth of five (5) million dollars. Each certificate of insurance must stipulate coverage for armed/unarmed personnel as appropriate. The naming of the board

as an additional insured in no way constitutes or should be construed as a waiver or limitation of the board's rights or defenses with regard to sovereign immunity, governmental immunity, official immunities, and/or any of the protections provided under federal and state constitutions or by law.

(7) When, in the opinion of the board, an applicant has fulfilled the requirements of these rules, the board may issue the applicant a license to provide private security services or proprietary private investigative services.

(8) All those licensed under these rules shall immediately notify the board in writing of any change of address or employment; a company shall notify the board in writing of the termination of employment of any person listed on the company application or any licensed employee and notify the board as to whether or not the individual's license has been returned to the company.

(9) Licenses, issued under these rules, are not transferable or assignable. When any person's license has been terminated, suspended, revoked, or has expired, the license shall be mailed or delivered to the POLU. If the license is lost or stolen, the license holder shall immediately notify POLU and provide a lost card affidavit signed by a company representative. An additional fee and a new Form 5409 P.D. are required. If the license has been stolen, a police report listing the license may be accepted in lieu of the additional fee. Any person licensed under these rules may hold a maximum of three (3) licenses.

(10) All those licensed will be required to furnish a photograph and description of all vehicles to be used in the course of their business, including state license numbers, vehicle identification numbers, and provide proof of adequate automobile liability insurance coverage in accordance with the requirements established by the state of Missouri. All vehicles must clearly state that the vehicle is a security vehicle and display the company name. Use of any sign, signal, or other device contrary to the ordinance of the city, or which is similar in appearance to those used by the department is prohibited and may be grounds for denial, suspension, or revocation of a license. No private security company, proprietary private investigative company, or individual is authorized to operate any emergency vehicle as that term is defined by state law or city ordinance, other than Airport Police and Park Rangers. No vehicle displaying the word "police" shall be approved for use except as set out in 17 CSR 10-2.030(1)(A)5-6.

AUTHORITY: section 84.720, RSMo 2016. Original rule filed Dec. 5, 1979, effective March 17, 1980. For intervening history, please consult the Code of State Regulations. Rescinded and readopted: Filed March 1, 2021.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will cost private entities nine hundred seventy thousand dollars (\$970,000) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Board of Police Commissioners of Kansas City, Missouri, 1125 Locust St., Kansas City, Missouri 64106. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**FISCAL NOTE
PRIVATE COST**

**I. Department Title: 17
Division Title: 10
Chapter Title: 2**

Rule Number and Title:	17 CSR 10-2.020 – Application for a License
Type of Rulemaking:	Proposed Rule

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
169 ¹	Company Licenses	\$845,000.00
25 ²	New Company Licenses	\$125,000.00
Total		\$970,000.00

III. WORKSHEET

There are currently approximately one hundred and sixty-nine (169) companies licensed by Board. Each company is required to carry a certificate of liability insurance in the amount of one million dollars (\$1,000,000.00) or the equivalent naming Board as an additional insured and certificate holder. The equivalent means a bond in like amount or a self-insurance certificate if the company has an audited net worth of five million dollars (\$5,000,000.00). Using the figure of five thousand dollars (\$5,000.00) per year per company, the resulting fiscal impact to the 169 companies currently holding licenses would be eight hundred forty-five thousand dollars (\$845,000.00). Assuming twenty-five (25) new companies apply for licenses in the next year, the resulting fiscal impact to those entities would be one hundred twenty-five thousand dollars (\$125,000.00).

IV. ASSUMPTIONS

¹ This is the approximate number of companies currently licensed.

² This is the number of new companies which Board anticipates will apply for a license in the next year.

Board is unable to exactly calculate the fiscal impact of this insurance requirement to the companies licensed. The cost of insurance varies depending on the insurance company's loss experience with the insured, the company's payroll, whether the company employs armed or unarmed security officers, the nature and location of their business and many other factors which cannot be precisely calculated by Board. Based on information available to Board, it appears that on average the insurance cost to a company, firm or corporation is approximately five thousand dollars (\$5000.00) per year. That figure was used to calculate the fiscal impact of this rule.

For a discussion of the fiscal impact of requiring private entities to purchase a company license, see Private Entity Fiscal Note for 17 CSR 10-2.010 and 17 CSR 10-2.040.

For a discussion of the fiscal impact of requiring a fingerprinting fee for new licensees to obtain a background check, see Private Entity Fiscal Note for 17 CSR 10-2.040.

Title 17—BOARDS OF POLICE COMMISSIONERS
Division 10—Kansas City Board of Police Commissioners
Chapter 2—Private Security

PROPOSED RESCISSION

17 CSR 10-2.030 Classification of Licenses. This rule established minimum qualification standards and classification of licenses related to specific private security services provided by board.

PURPOSE: Board wishes to rescind this rule and adopt a new rule in its place to clarify the language in the rule and insure compliance with the applicable law.

AUTHORITY: section 84.720, RSMo 2000. Original rule filed Dec. 5, 1979, effective March 17, 1980. For intervening history, please consult the Code of State Regulations. Rescinded: Filed March 1, 2021.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Board of Police Commissioners of Kansas City, Missouri, 1125 Locust St., Kansas City, Missouri 64106. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 17—BOARDS OF POLICE COMMISSIONERS
Division 10—Kansas City Board of Police Commissioners
Chapter 2—Private Security

PROPOSED RULE

17 CSR 10-2.030 Classification of Licenses

PURPOSE: This rule establishes minimum standards and classification of licenses related to specific private security services or proprietary private investigative services provided.

(1) Individual licenses to provide private security services or proprietary private investigative services granted pursuant to this chapter shall be classified as either Class A licenses or Class B licenses.

(A) Class A licensees (other than those solely seeking an Administrative License) shall have the authority to detain or apprehend suspects either committing felonies, misdemeanors, or city ordinance violations in the presence of the licensee or during the attempt to commit the same or upon probable cause to believe an offense was committed; provided, however, the authority is limited to the private property the licensee is hired to protect during the hours s/he is hired to protect said private property and is not to extend to the public streets of the city. No vehicle pursuits are allowed except as specifically authorized in 17 CSR 10-2.030(1)(A)5. Class A licenses may be further classified pursuant to the following titles, designations, and authorities:

1. Administrative Agent—One who directly supervises a Security Officer;
2. Loss prevention agent—One who is unarmed, nonuniformed, and is responsible to observe, investigate, apprehend, and prosecute shoplifters, fraud checks, internal thefts, and the like. This individual is employed to prevent theft by unobtrusive, alert skills;
3. Patrol agent—Armed or unarmed, uniformed position delegated all the responsibility of a guard with the authority to react to

illegal action by apprehension or detention. Persons, such as bank guards and hospital security, are normally assigned to a particular designated post to protect persons and property. This individual may also be responsible for proactive, aggressive policing of the property they are hired to protect. These responsibilities include foot patrol, response to alarms, self-initiated activity such as car and pedestrian checks on designated private property, investigations, apprehension or detention of suspects, and assisting in prosecution;

4. Proprietary private investigator—An armed or unarmed, nonuniformed person employed exclusively and regularly by one (1) employer in connection with the affairs of that employer and where there exists an employer-employee relationship, responsible for investigations which impact that employer. The qualification for this classification is set out in 17 CSR 10-2.050(1)(C);

5. Airport police—Armed and uniformed position responsible for patrolling the property designated as the Kansas City International Airport and the Charles B. Wheeler Downtown Airport who are granted special permission to be known as the Kansas City International Airport Police. These officers are exempt from the provisions of 17 CSR 10-2.060(4). Airport police personnel shall be required to have a Class A license. Officers with licenses pursuant to this subclassification have the following authority, in addition to those created by the Class A license. The Class A license that has the airport police designation shall have authority to enforce city ordinance and state statute violations upon the public streets of the city, but only upon the streets within the property boundaries of the Kansas City International Airport and the Charles B. Wheeler Downtown Airport. The Class A license that has the designation unarmed, uniformed “traffic control officer” shall have the authority to control traffic and issue citations for parking violations, but only upon the streets within the property boundaries of the Kansas City International Airport and the Charles B. Wheeler Downtown Airport. This section grants no authority to engage in a vehicle pursuit on streets not within the property boundaries of the Kansas City International Airport or the Charles B. Wheeler Downtown Airport; and

6. Park Rangers—Armed and uniformed position responsible for providing security for the City of Kansas City, Missouri parks and park property, which is granted special permission to be known as the park rangers. Park rangers shall be required to have a Class A license. Officers with licenses pursuant to this subclassification have the following authority, in addition to those created by the Class A license. The Class A license that has the park ranger designation shall have authority to enforce specific agreed-upon city ordinance violations exclusively upon park property. This section grants no authority to engage in a vehicle pursuit on roadways that are not park property.

(B) Class B licenses shall not grant the authority for the licensees to detain or apprehend suspects. An applicant shall designate the particular subclassification listed in this subsection when applying for a Class B license. An applicant must make a separate application when applying for a Class B license designating more than one (1) subclassification of authority. The license identification issued by the Board of Police Commissioners of Kansas City, Missouri (the board) shall designate which subcategory of a Class B license has been granted.

1. Guard—A guard is an unarmed, uniformed position with primary responsibilities being to watch and report on/or in a specific premises or designated area, to escort or guide, to control crowds, to give directions, to monitor camera systems, to control access, and to offer assistance for the safety of others. The guard has no authority to detain or apprehend a person suspected of committing a crime.

2. Armed courier—An armed, uniformed position primarily responsible for the protection and transport of money and other valuables from one (1) designated area to another. This licensee has the authority to conduct private security services on the public streets of the city, but this authority is limited to protecting property from activities which would impact the property protected. The courier must meet the qualifications relating to authority to carry a firearm, as set out in this chapter.

3. Proprietary private investigator—An armed or unarmed, nonuniformed person employed exclusively and regularly by one (1) employer in connection with the affairs of that employer and where there exists an employer-employee relationship, responsible for investigations which impact that employer. The qualification for this classification is set out in 17 CSR 10-2.050(1)(C).

AUTHORITY: section 84.720, RSMo 2016. Original rule filed Dec. 5, 1979, effective March 17, 1980. For intervening history, please consult the Code of State Regulations. Rescinded and readopted: Filed March 1, 2021.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Board of Police Commissioners of Kansas City, Missouri, 1125 Locust St., Kansas City, Missouri 64106. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 17—BOARDS OF POLICE COMMISSIONERS
Division 10—Kansas City Board of Police Commissioners
Chapter 2—Private Security**

PROPOSED RESCISSION

17 CSR 10-2.040 Application Forms and Licensing Fees. This rule established a schedule of licensing fees and provided a list of approved forms used by the board to administer its responsibilities in the area of regulation and licensing of private security personnel.

PURPOSE: Board wishes to rescind this rule and adopt a new rule in its place to clarify the language in the rule and insure compliance with the applicable law.

AUTHORITY: section 84.720, RSMo 2000. Original rule filed Dec. 5, 1979, effective March 17, 1980. For intervening history, please consult the Code of State Regulations. Rescinded: Filed March 1, 2021.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Board of Police Commissioners of Kansas City, Missouri, 1125 Locust St., Kansas City, Missouri 64106. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 17—BOARDS OF POLICE COMMISSIONERS
Division 10—Kansas City Board of Police Commissioners
Chapter 2—Private Security**

PROPOSED RULE

17 CSR 10-2.040 Application Forms and Licensing Fees

PURPOSE: The Board of Police Commissioners of Kansas City, Missouri (board), in order to administer its responsibilities in the area of regulation and licensing of private security and proprietary private investigative personnel, shall establish a schedule of licensing fees and list of approved forms.

(1) The fees for licensing, renewing, transferring, etc., are as follows:

(A) New Company License	\$400.00
(B) Company License Renewal	\$300.00
(C) Class A—Armed License	\$145.00
(D) Class A—Armed License Renewal	\$ 90.00
(E) Class A—Unarmed License	\$ 90.00
(F) Class A—Unarmed License (two (2) years)	\$130.00
(G) Class A—Unarmed License Renewal	\$ 65.00
(H) Class A—Unarmed License Renewal (two (2) years)	\$100.00
(I) Class B—Armed License	\$145.00
(J) Class B—Armed License Renewal	\$ 90.00
(K) Class B—Unarmed License	\$ 90.00
(L) Class B—Unarmed License Renewal	\$ 65.00
(M) Replacement of Lost/Stolen License	\$ 40.00
(N) Dual License	\$ 65.00
(O) Change of Company Name (up to and including 15 employees; over 15 employees, add an additional \$5.00 per employee)	\$150.00
(P) Change of License Classification	\$ 65.00
(Q) Written Test Failure	\$ 65.00
(R) Range Failure (failure to qualify range appointment)	\$ 85.00
(S) Failure to Attend Range Appointment	\$100.00
(T) Weapon Change	\$ 85.00
(U) State/NCIC/FBI Annual Fingerprinting Fee	\$ 40.00
(V) Reinstatement Fee (following suspension/revocation)	\$ 65.00
(W) License Transfer	\$ 65.00
(X) Copy Fee	\$ 1.00 per page
(Y) Annual Range Fee (Handgun Training and Qualification/ Continuing Education)	\$ 85.00
(Z) Annual Range Fee (Rifle Training and Qualification Continuing Education)	\$200.00
(AA) Annual Range Fee (Shotgun Training and Qualification/ Continuing Education)	\$ 85.00
(BB) Administrative License (no Administrative License is required for one (1) person security firms or for anyone who has another license hereunder)	\$145.00

(2) Only cash, credit or debit cards, money orders, cashier's checks, or checks drawn on accounts of licensed companies are accepted in payment of fees. All fees are nonrefundable.

(3) The board will provide forms for applicants to use. All forms may be located at www.kcpd.org.

(A) Form 5001 P.D., "Information for Private Security/Proprietary Investigative Personnel," provides basic information to private security and proprietary private investigative personnel which includes the source of the board's authority to license private security and proprietary private investigative personnel; information on the classifications of licenses; the duties and authority of the various license classifications; information concerning firearms qualification; and scheduling and directions to the police pistol range.

(B) Form 5297 P.D., "Instructions for Licensing a Company to Employ Private Security and Proprietary Private Investigative

Personnel,” provides instructions for licensing a company to employ private security and proprietary private investigative personnel which includes instructions concerning the required certificate of liability insurance; required documents; fee required; criminal history records check information; lists the private officer license classifications; procedures for monthly invoices; and information concerning the required examination and firearms qualification.

(C) Form 5409 P.D. is the “Employer’s Application for Employment of Private Security/Proprietary Private Investigators ‘Intent to Hire.’” This form must be presented any time a license is applied for, renewed, or transferred. This is the basic application form for individual licensees which requests the following information: name of business, address, and telephone number; the individual applicant’s name, address, telephone number, date of birth, and Social Security number; the type of license being applied for; and if armed, the make, model, caliber, and serial number of the firearm the applicant intends to carry. The form must be signed by both the individual applicant and an authorized company representative. No Form 5409 P.D. will be accepted if signed by a person other than the authorized representative designated by the company in writing and on file with the Private Officers Licensing Unit (POLU).

(D) Form 5486 P.D. is the “Application for Company License.” This form is the basic application form for companies wishing to regularly work or employ persons to engage in private security or proprietary private investigative businesses in the city of Kansas City, Missouri. It requires the following information: the company’s trade name; the company’s legal name, its address, its mailing address, and business phone; the principal name of the company and home office address and telephone; whether the company is using a fictitious name and whether that name is registered with the Missouri secretary of state; whether the business is a corporation registered in a state other than Missouri but doing business in Missouri; a copy of the company’s registration in Missouri and certificate of good standing from the Missouri secretary of state if appropriate; a description of the company; information concerning whether a license issued by any governmental entity to the company has ever been denied, suspended, or revoked; a description of the uniform along with a photograph which clearly displays the company name and the word security either on the uniform or company patch to be worn by the company’s personnel (the POLU will approve in advance all uniforms to be worn by any licensee); the approximate number of persons to be licensed; a list of all company-owned firearms; a list of the names, addresses, and capacities of each of the owners, partners, officers, directors, and associates of the company; a list of the company’s contact persons who are authorized to sign and do business with the board; information and proof that the persons listed in the application are U.S. citizens; and the company’s federal employment identification number (E.I.N.).

(E) Form 5715 P.D. is the “Verification of Firearms Training” form. This form requires an individual and his/her instructor to certify that the applicant has been trained in the use of the firearm the applicant intends to carry on duty. Information concerning what the training must include appears on the form. The form must be signed by the training instructor and the training instructor’s company must be listed. This form must be presented to the POLU prior to the applicant being scheduled for the range.

(F) Form 5636 P.D. is the “Weapons Discharge Report.” This form is designed to report information whenever a licensee discharges his/her firearm. Information which must be provided on the form includes: the name of the licensee and date the license expires; the licensee’s weapon make, model, and serial number; the location of the incident; the time of the incident; the name of the licensee’s supervisor and the time they were notified of the discharge; whether the licensee was on-duty and in uniform; whether any fatalities or injuries resulted from the discharge; whether the shooting was accidental or intentional; the case report number in connection with the incident; a narrative description of what transpired; the signature of the licensee along with the licensee’s date of birth; and the signature

of the company representative along with the company name and address. This form must be received by the POLU within five (5) days of the incident.

(G) Form 5707 P.D. is a “Temporary License Extension” form. It requests the date, the name of the licensee, their date of birth, and their employer’s name. This form provides a temporary license to those who have not yet attended their scheduled firearms qualification date.

AUTHORITY: section 84.720, RSMo 2016. Original rule filed Dec. 5, 1979, effective March 17, 1980. For intervening history, please consult the Code of State Regulations. Rescinded and readopted: Filed March 1, 2021.

PUBLIC COST: This proposed rule will cost state agencies or political subdivisions fifteen thousand three hundred forty dollars (\$15,340) in the aggregate.

PRIVATE COST: This proposed rule will cost private entities nine hundred fourteen thousand one hundred twenty-three dollars (\$914,123) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Board of Police Commissioners of Kansas City, Missouri, 1125 Locust St., Kansas City, Missouri 64106. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**FISCAL NOTE
PUBLIC COST**

- I. Department Title: 17**
- Division Title: 10**
- Chapter Title: 2**

Rule Number and Name:	17 CSR 10-2.040 – Application Forms and Licensing Fees
Type of Rulemaking:	Proposed Rulemaking

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
City of Kansas City, Missouri	\$7885.00
Jackson County, Missouri Family Court	\$560.00
Kansas City International Airport Police	\$5810.00
Housing Authority of Kansas City, Missouri	\$1085.00
Total	\$15,340.00

III. WORKSHEET

The fee for a new armed license is one hundred forty-five dollars (\$145.00) per year. The fee for new unarmed licenses is ninety dollars (\$90.00) per year. The yearly renewal fee for armed licenses is ninety dollars (\$90.00) per year. The yearly renewal fee for unarmed licensees is sixty-five dollars (\$65.00).

The City of Kansas City, Missouri licenses forty (40) armed security officer and nine (9) unarmed security officers. Jackson County, Missouri Family Court licenses four (4) unarmed officers and one (1) unarmed person per year. The Kansas City International Airport Police currently licenses seventeen (17) armed officers and thirty-nine (39) unarmed officers. The Housing Authority of Kansas City, Missouri currently licenses three (3) armed officers and four (4) unarmed officers. The number of current licensees in each category was multiplied by the corresponding renewal fees charged in order to assess the fiscal impact to the current licensees. The City of Kansas City, Missouri, the Jackson County, Missouri Family Court, the Kansas City International Airport Police and the Housing Authority of Kansas City, Missouri pay a company license renewal fee in the amount of three hundred dollars (\$300.00) per year.

The City of Kansas City, Missouri will incur costs in the amount of ninety dollars (\$90.00) per renewal of its armed licenses (40) for a cost of three thousand six hundred dollars (\$3600.00) yearly. In addition, each armed applicant will pay a range fee in the amount of eighty-five dollars (\$85.00) for an additional three thousand four hundred dollars (\$3400.00). The total fiscal impact for armed applicants to the City of Kansas

City, Missouri is seven thousand dollars (\$7000.00). The City of Kansas City, Missouri will incur costs of sixty-five dollars (\$65.00) per renewal of each of its unarmed licenses (9) for a total cost of five hundred eighty-five dollars (\$585.00) yearly. The City of Kansas City, Missouri will pay a company license renewal fee in the amount of three hundred dollars (\$300.00) per year. Total fiscal impact for all licensees to the City of Kansas City, Missouri is seven thousand eight hundred eighty-five dollars (\$7885.00).

Jackson County, Missouri Family Court will incur costs of sixty-five dollars (\$65.00) per renewal of each of its unarmed licenses (4) for a cost of two hundred sixty dollars (\$260.00) yearly. The total fiscal impact to Jackson County, Missouri for renewal of unarmed licenses is two hundred sixty dollars (\$260.00) per year. The Jackson County, Missouri Family Court will pay a company license renewal fee in the amount of three hundred dollars (\$300.00) per year. The total fiscal impact for all licensees is four hundred twenty (\$560.00) to the Jackson County, Missouri Family Court.

The Kansas City International Airport Police will incur costs in the amount of ninety dollars (\$90.00) per renewal of each of its armed licenses (17) for a cost of one thousand five hundred thirty dollars (\$1530.00) yearly. In addition, each armed applicant will pay a range fee in the amount of eighty-five dollars (\$85.00). The additional fiscal impact to armed licensees is one thousand four hundred forty-five dollars (\$1,445.00) for a total fiscal impact for armed licensees of two thousand nine hundred seventy-five dollars (\$2975.00). The Kansas City International Airport Police will incur costs in the amount of sixty-five dollars (\$65.00) per renewal of each of its unarmed licenses (39) for a total cost of two thousand five hundred thirty-five dollars (\$2535.00) yearly. The total fiscal impact for armed and unarmed licenses is five thousand five hundred ten dollars (\$5510.00). The Kansas City International Airport Police also pay a company license renewal fee of three hundred dollars (\$300.00) per year under the Proposed Rules for a total fiscal impact of five thousand eight hundred ten dollars (\$5810.00) per year.

The Housing Authority of Kansas City, Missouri will incur costs in the amount of ninety dollars (\$90.00) per renewal of each of its armed licenses (3) for a cost of two hundred seventy dollars (\$270.00) yearly. Additionally, each armed licensee will pay a range fee in the amount of eighty-five dollars (\$85.00) per applicant for a total cost of two hundred fifty-five dollars (\$255.00). Total fiscal impact to the Housing Authority of Kansas City, Missouri armed licensees is therefore, five hundred twenty-five dollars (\$525.00). The Housing Authority of Kansas City, Missouri will incur costs of sixty-five dollars (\$65.00) per renewal of each of its unarmed licenses (4) for a cost of two hundred sixty dollars (\$260.00) yearly. The total fiscal impact to the Housing Authority of Kansas City, Missouri for renewal of armed licenses is five hundred twenty-five dollars (\$525.00) and for unarmed licenses is two hundred sixty dollars (\$260.00) per year for a total of fiscal impact of seven hundred eighty-five dollars (\$785.00). The Housing Authority of Kansas City, Missouri also pays a company license renewal fee of three hundred dollars (\$300.00) per year under the Proposed Rules for a total fiscal impact of one thousand eighty-five dollars (\$1085.00) per year.

Board has created an optional two-year license and two-year renewal fee for Class A unarmed licensees. Board is unable to predict how many licensees will decide to take advantage of the cost savings offered (\$50.00 savings for a new unarmed license and a \$30 saving for renewals) by these new options. If the company is paying for the license instead of the individual, it is not believed they will not avail themselves of the savings involved due to the high turnover in the ranks of unarmed security officers.

IV. ASSUMPTIONS

This rule requires that those providing security services be licensed as either armed or unarmed security officers. Other fees assessed are provided for in other sections of this chapter and the fiscal impact of those fees will be outlined in the fiscal notes prepared for those sections. These figures assume that the agencies will renew the licenses of all those currently licensed and will not switch the classifications of the persons they are licensing, i.e., from unarmed to armed or vice versa. These figures also assume that the agencies pay the license fees for those they license, rather than the individual paying the fees themselves. Board keeps no records of how the various entities operate and how they pay their fees. Therefore, the actual cost to these entities cannot be assessed and it must be assumed that for purposes of this fiscal note that the entities pay the entire fee. These cost calculations take into account yearly renewal fees for existing licensees. If the entities license additional persons, additional costs for new licenses will be incurred in the amounts set out above for new licenses.

This Proposed Rule also sets out the fees for license transfers, dual licenses, change of license classification fees, replacement of lost or stolen licenses, rescheduling fees for the range, weapons changes, late fees, test failure fees, range failure fees, reinstatement fees and copying fees. Because the Board is unable to estimate in advance how many persons will lose their licenses, transfer their licenses, apply for a dual license, etc., the fiscal impact cannot be estimated. Should these fees be assessed, Board would not know whether the public entities or the individual licensees would be paying these fees and therefore, the impact to the entities is uncertain. Historically these public entities have not been assessed these fees.

**FISCAL NOTE
PRIVATE COST**

- I. Department Title: 17
Division Title: 10
Chapter Title: 2**

Rule Number and Title:	17 CSR 10-2.040 – Application Forms and License Fees
Type of Rulemaking:	Proposed Rule

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
968	Armed Licensees	\$169,400.00
436	New Armed Licensees	\$117,720.00
1435	Unarmed Licensees	\$93,275.00
2035	New Unarmed Licensees	\$264,550.00
169	Company Licenses	\$50,700.00
25	New Company Licenses	\$10,000.00
50	Administrative Licenses	\$7250.00
67	Replacement of Lost/Stolen License	\$2680.00
164	Dual License	\$10,660.00
278	Change of License Classification	\$18,070.00
178	Written Test Failure	\$11,570.00
242	Range Failure	\$20,570.00
129	Failure to Attend Range Appointment	\$12,900.00

5	Weapon Change	\$425.00
2471	State/NCIC/FBI fee	\$98,840.00
21	Reinstatement Fee	\$1365.00
368	License Transfer Fee	\$23,920.00
228	Copy Fee	\$228.00
Total		\$914,123.00

III. WORKSHEET

The fee for a new armed license is one hundred forty-five dollars (\$145.00) per year. The fee for new unarmed licenses is ninety dollars (\$90.00) per year. The yearly renewal fee for armed licenses is ninety dollars (\$90.00) per year. The yearly renewal fee for unarmed licensees is sixty-five dollars (\$65.00).

Currently approximately 968 persons hold armed licenses. With the renewal fee of ninety dollars (\$90.00), the fiscal impact to armed licensees is \$87,120.00. The armed applicants will also pay a range fee of eighty-five (\$85.00). Therefore, the fiscal impact to armed licensees is an additional \$82,280.00 for a total fiscal impact of \$169,400.00. Currently approximately 1435 persons hold unarmed licenses. With the renewal fee of sixty-five dollars (\$65.00), the total fiscal impact to unarmed licensees is \$93,275.00.

In order to assess the fiscal impact to the individuals acquiring new armed licenses, an estimate of the number of new armed licensees, four hundred thirty-six (436) must be multiplied by the fee amount (\$145.00) for armed licenses for a fiscal impact of \$63,220.00. In addition, each new armed applicant will pay a range fee in the amount of eighty-five dollars (\$85.00) and an annual fingerprinting fee of forty dollars (\$40.00) for a fiscal impact of \$54,500.00. The total fiscal impact to new armed licensees is \$117,720.00. In order to determine the fiscal impact to individuals acquiring new unarmed licenses, an estimate of the number of new unarmed licensees, 2035, must be multiplied by the fee amount (\$90.00) for unarmed licenses for a fiscal impact of \$183,150.00 for the license. In addition, each unarmed licensee will pay an annual fingerprinting fee of forty dollars (\$40.00) for a fiscal impact of \$81,400.00. The total fiscal impact to new unarmed licensees is \$264,550.00

All firms, companies, partnerships and corporations licensed will pay a company fee in the amount of three hundred dollars (\$300.00) per year. The approximate number of companies holding licenses (169) was multiplied by the new company fee (\$300.00) in order to assess the fiscal impact to the current companies holding licenses in the amount of \$50,700.00. Approximately 25 new companies will obtain new licenses during the year. Each will pay the company license fee of \$400.00 for a total fiscal impact of \$10,000.00.

Board is instituting an administrative license to be paid by each person supervising a security officer licensee (except for one person companies or anyone who holds another license under these rules). Board estimates that there will be fifty (50) administrative licenses issued at a cost of one hundred forty-five dollars (\$145.00) per license for a total fiscal impact of \$7250.00.

Board has instituted a fee for those licensees who lose or have their licenses stolen in the amount of forty dollars (\$40.00) to cover Board's costs in reissuing a license. Board estimates that approximately sixty-seven (67) licensees will lose or have their licenses stolen based on historical information. The total fiscal impact to companies or licensees is two thousand six hundred and eighty dollars (\$2680.00).

Board has instituted a fee for those licensees who wish to hold dual licenses, that is a license with more than one company in the amount of sixty-five dollars (\$65.00) to cover Board's costs and to ensure that licensees save money when holding more than one license. Board estimates that approximately one hundred sixty-four (164) licensees will apply for dual licenses based on historical information. The total fiscal impact to companies or licensees is ten thousand six hundred and sixty dollars (\$10,660.00).

Board has instituted a fee for those licensees who wish to change their license classification (for example, from Class B to Class A or armed to unarmed) in the amount money when making changes to their existing licenses. Board estimates that approximately two hundred seventy-eight (278) licensees will apply to change their license classification based on historical information. The total fiscal impact to companies or licensees is eighteen thousand seventy dollars (\$18,070.00).

Board has instituted a fee for those licensees who fail to pass the written test administered to all licensees in the amount of sixty-five dollars (\$65.00) to cover Board's costs in re-administering the test. Board estimates that approximately one hundred seventy-eight (178) licensees will fail the written test based on historical information. The total fiscal impact to companies or licensees is eleven thousand five hundred seventy dollars (\$11,570.00).

Board has instituted a fee for those armed licensees who fail to qualify with their firearm at the range in the amount of eighty-five dollars (\$85.00) to cover Board's costs in re-administering the qualification test. Board estimates that approximately two hundred forty-two (242) armed licensees will fail to qualify at the range based on historical information. The total fiscal impact to companies or licensees is seven thousand one hundred twenty dollars (\$20,570.00).

Board is instituting a fee for those armed licensees who fail to attend their scheduled range qualification in the amount of one hundred dollars (\$100.00) to cover Board's costs in re-scheduling the qualification test. Board estimates that approximately one hundred twenty-nine (129) armed licensees will fail to attend their range qualification based on historical information. The total fiscal impact to companies or licensees is twelve thousand nine hundred dollars (\$12,900.00).

Board has instituted a weapon change fee for armed licensees in the amount of eighty-five dollars (\$85.00), however historically only five (5) persons per year have changed to a different weapon so the fiscal impact is minimal and is in the amount of \$425.00.

Board assesses a fee for all new applicants in order to fingerprint them for a criminal background check through the State of Missouri/National Crime Information Center/Federal Bureau of Investigation (State/NCIC/FBI) in the amount of forty dollars (\$40.00). Board estimates there will be 436 new armed applicants who will pay the fee for a fiscal impact of seventeen thousand four hundred forty dollars (\$17,440.00). Board estimates there will be 2035 new unarmed applicants who will require fingerprinting for a fiscal impact of eight-one thousand four hundred dollars (\$81,400.00). The total fiscal impact to all new applicants due to the fingerprinting fee for the State/NCIC/FBI background check is ninety-eight thousand eight hundred forty dollars (\$98,840.00).

Board has instituted a reinstatement fee for licensees who have had their licenses suspended or revoked for a violation of Board's rules in the amount of sixty-five dollars (\$65.00), however historically only approximately twenty-one (21) persons per year have been assessed this fee so the fiscal impact is minimal and is in the amount of one thousand three hundred sixty-five dollars (\$1365.00).

Board has instituted a license transfer fee for licensees who wish to transfer their licenses to another company in the amount of sixty-five dollars (\$65.00). Historically approximately three hundred sixty-eight (368) persons per year have been assessed this fee. The total fiscal impact is in the amount of twenty three thousand nine hundred twenty dollars (\$23,920.00).

Board has instituted a copy fee of \$1.00 per page for licensees who wish to have copies made of documents. Historically approximately two hundred twenty-eight (228) copies of documents such as range sheets and receipts for payments are made each year. The total fiscal impact is minimal and in the amount of \$228.00.

Board has included in this rule a fee for shotgun and rifle training and qualification. To date, no one has ever requested or participated in rifle or shotgun training offered by Board. It is not anticipated that any persons will request or participate in these types of training.

IV. ASSUMPTIONS

These figures assume that Board is correct about the number of persons who will newly apply for armed, unarmed and company licenses in the next year. These figures also assume that the companies pay the license fees for those they license, rather than the individual paying the fees themselves. In fact, Board is aware that some companies pay a portion of the licensing fees of their employees and the employees pay the balance. Board keeps no records of how the various companies operate and how they pay their fees. Therefore, the actual cost to these companies cannot be assessed and it must be assumed that for purposes of this fiscal note that the companies pay the entire fee.

This Proposed Rule also sets out various other fees for license transfers, dual licenses, change of license classification fees, replacement of lost or stolen licenses, rescheduling fees for the range, weapons changes, late fees, test failure fees, range failure fees, reinstatement fees and copying fees. Because the Board is unable to estimate in advance how many persons will lose their licenses, transfer their licenses to a new company, apply for a dual license, etc., the precise fiscal impact cannot be estimated. Again, Board would not know whether companies or the individual licensees would be paying these fees and therefore, the impact to businesses is uncertain.

**Title 17—BOARDS OF POLICE COMMISSIONERS
Division 10—Kansas City Board of Police Commissioners
Chapter 2—Private Security**

PROPOSED RESCISSION

17 CSR 10-2.050 Testing Requirements and Qualification Standards. This rule established testing requirements for those seeking individual licensing pursuant to these provisions established qualification standards pursuant to the duties carried out by individuals providing private security services.

PURPOSE: Board wishes to rescind this rule and adopt a new rule in its place to clarify the language in the rule and insure compliance with the applicable law.

AUTHORITY: section 84.720, RSMo 2000. Original rule filed Dec. 5, 1979, effective March 17, 1980. For intervening history, please consult the *Code of State Regulations*. Rescinded: Filed March 1, 2021.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Board of Police Commissioners of Kansas City, Missouri, 1125 Locust St., Kansas City, Missouri 64106. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 17—BOARDS OF POLICE COMMISSIONERS
Division 10—Kansas City Board of Police Commissioners
Chapter 2—Private Security**

PROPOSED RULE

17 CSR 10-2.050 Testing Requirements and Qualification Standards

PURPOSE: In accordance with generally recognized policing standards, the Board of Police Commissioners of Kansas City, Missouri (board) has established testing requirements for those seeking individual licensing pursuant to these provisions and has established qualification standards pursuant to the duties carried out by individuals providing private security or proprietary private investigative services.

(1) All applicants for licensing shall successfully pass a written examination as presented by the department to potential licensees demonstrating they have received appropriate training from their employer. A person failing to obtain a passing score as established by the board may be allowed to retake the written test three (3) times. An additional fee and a new Form 5409 P.D. is required each time the test is retaken. The test may not be taken more than one (1) time per day. An applicant shall have the right to review their test. The Private Officers Licensing Unit (POLU) may refuse to test any person if evidence exists that there is grounds for denial of the license. Retired sworn members of the department are not required to be tested. The board has established categories of testing that reflect the responsibilities and qualifications required for the type of license sought by the applicant. An information manual outlining the examination will be available from the POLU. It is the company's respon-

sibility to provide training necessary to prepare the applicant to take and pass the board's written examination. In addition to obtaining the license as an armed licensee, the company must provide a certification from a firearms instructor who has been certified by a recognized organization on the department's then currently approved list that the applicant or licensee has completed the required firearms training as described in 17 CSR 10-2.055, and must present a completed Form 5715 P.D. at the time of application. The licensee must successfully qualify annually with their weapon. The qualification will be equivalent to that required for department police officers. In addition, any person holding an armed license shall requalify any time they change weapons. A licensee may only carry and qualify with one (1) handgun per company. As set out in 17 CSR 10-2.040(1), a fee will be charged anytime a weapon change is made.

(A) Applicants for Class A licensing, in addition to those topics listed in subsection (1)(B) of this rule, shall also be trained by their employer and tested on issues of crime and criminal liability, firearms responsibility and liability, and patrol techniques. Class A licenses issued to those requesting designation as a proprietary private investigator shall also be trained by the employer and tested on investigative techniques, illegal electronic surveillance, audio recording, and visual or video recording when permissible.

(B) Applicants for Class B licensing as provided in this chapter shall be tested on detention and seizure, how to interact with the general public and public officials, the licensing process, including rules, how to react to crisis situations, and liability issues.

(C) Applicants for proprietary private investigator must possess a high school diploma and one (1) of the following: A two (2) year degree in Administration of Criminal Justice or a bachelor's degree; two (2) consecutive years prior investigative experience in law enforcement, military police, or military intelligence functions; or two (2) years consecutive experience with a licensed private security or proprietary private investigative company, and be certified by that company as to knowledge of the law and investigative techniques.

(D) In addition to the proficiency certification from a firearms instructor that the applicant or licensee has completed the required firearms training as described in 17 CSR 10-2.055, each armed licensee will complete a four (4) hour handgun information and qualification session at the Kansas City, Missouri Police Pistol Range (range) each year and additional hours for rifle and/or shotgun information and qualification if the applicant wishes to carry one (1) or both of those weapons. If an applicant wishes to carry both weapons, the applicant will be required to complete both a rifle and a shotgun information and qualification session and pay the fees associated with those sessions as provided in 17 CSR 10-2.040(1)(Y), (Z), and (AA). Each company representative and licensee will pay the fees associated with these requirements as set out in 17 CSR 10-2.040(1).

(2) As all applicants for Class A licenses (other than those solely seeking an Administrative License) are granted the authority to detain or apprehend, each applicant's employer must certify annually on the Form 5409 P.D. that the applicant—

(A) Is physically and mentally capable of being able to safely detain or apprehend suspects without the necessity of resorting to the displaying or discharging of a weapon; and

(B) Meets the physical and mental standards equivalent to those required of department police officers. This will require every applicant to submit at renewal annually a Form 5409 P.D. The board may investigate the certification and may reject the application if there is evidence that the certification is false or incorrect.

(3) Additionally, each applicant applying for any license under these provisions must meet these standards—

(A) Meet the qualifications in 17 CSR 10-2.020(3);

(B) Be at least twenty-one (21) years of age to hold an armed license and be at least eighteen (18) years of age to hold an unarmed license;

(C) Meet mental standards equivalent to those required of department police officers;

(D) Be capable of understanding and performing the duties and responsibilities of a licensee;

(E) If the applicant served in the Armed Forces of the United States within ten (10) years prior to the date of application, the final discharge of the applicant from the armed forces must be honorable or general under honorable conditions;

(F) Not have been convicted of, or pled guilty or no contest to, a felony, a misdemeanor, or an ordinance violation in federal, state, or municipal court (if the conviction was over 5 years ago or was less than 5 years ago and was a misdemeanor or city ordinance violation, and any sentence, fine, or probationary conditions have been fully satisfied and completed, the applicant may appeal this requirement to the board, and the board may waive this requirement in its sole discretion following such an appeal);

(G) For armed applicants, not be the respondent named in a full order of protection currently in effect issued after a hearing by a court of competent jurisdiction;

(H) Have no prior revocation of a security license (including without limitation any security firms for which an applicant for a new company license is affiliated with an owner, partner, officer, director, manager, member, or associate who had his or her license revoked);

(I) Failing to meet the standards as set out herein;

(J) Making any false statements or giving any false information in connection with an application for a license;

(K) Failing to provide information deemed necessary in order to establish eligibility;

(L) Holding a license which is suspended, including a suspension which is currently under review or under a stay pending the outcome of litigation in a court of competent jurisdiction (including without limitation any security firms for which an applicant for a new company license is affiliated with an owner, partner, officer, director, manager, member, or associate who had his or her license suspended);

(M) Providing other facts or actions which demonstrate that the applicant is unsuitable or ineligible for license or lacks good moral character by having engaged in acts of moral turpitude such as fraud, dishonesty, violence, bribery, sexual misconduct, or as otherwise defined by the common law of Missouri;

(N) Being terminated from or resigning under investigation or threat of discharge from the department or any other law enforcement agency shall make an individual ineligible for a license, but s/he may appeal to the board pursuant to the appeal process contained in this chapter; and

(O) Being arrested during the pendency of his or her application.

(4) Applicants and their employers, in the event of license denial, will be given a written notification. Applicants may appeal in writing to the POLU within thirty (30) business days of denial notification. The appeal should contain a brief statement responding to the reasons for denial. The board will then notify the applicant in writing of its formal decision on the matter. Applicants have no right to a hearing or presentation to the board.

(5) The board reserves the right to prohibit the holder of a license from carrying any firearm.

(6) All licenses granted by the board as set out herein may be temporary until the completion of the applicant's criminal history records check. Armed licenses will not be issued until the criminal history records check results are received by the POLU.

AUTHORITY: section 84.720, RSMo 2016. Original rule filed Dec. 5, 1979, effective March 17, 1980. For intervening history, please consult the Code of State Regulations. Rescinded and readopted: Filed March 1, 2021.

PUBLIC COST: This proposed rule will cost state agencies or political subdivisions five thousand one hundred dollars (\$5,100) in the

aggregate.

PRIVATE COST: This proposed rule will cost private entities one hundred nineteen thousand three hundred forty dollars (\$119,340) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Board of Police Commissioners of Kansas City, Missouri, 1125 Locust St., Kansas City, Missouri 64106. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**FISCAL NOTE
PUBLIC COST**

- I. Department Title: 17**
- Division Title: 10**
- Chapter Title: 2**

Rule Number and Name:	17 CSR 10-2.050 – Testing Requirements and Qualification Standards
Type of Rulemaking:	Proposed Rulemaking

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
City of Kansas City, Missouri	\$3400.00
Kansas City International Airport Police	\$1445.00
Housing Authority of Kansas City, Missouri	\$255.00
Total	\$5100.00

III. WORKSHEET

Each armed licensee will pay a range fee in the amount of eighty-five dollars (\$85.00).

The City of Kansas City, Missouri licenses forty (40) armed officers. The armed licensees (40) will pay eighty-five dollars (\$85.00) each for a total fiscal impact to the City of Kansas City, Missouri of three thousand four hundred dollars (\$3400.00).

The Kansas City International Airport Police has seventeen (17) armed licensees. The armed licensees will pay eighty-five dollars (\$85.00) each for a total of one thousand four hundred forty-five dollars (\$1445.00).

The Housing Authority of Kansas City, Missouri licenses three (3) armed persons. Those licensees will pay eighty-five dollars (\$85.00) each for a total fiscal impact to the Housing Authority of Kansas City, Missouri of two hundred fifty-five dollars (\$255.00).

IV. ASSUMPTIONS

These figures assume that the number of armed licensees remains constant in the next year. These figures also assume that the agencies pay the fees for those they license, rather than the individual paying the fees themselves. In fact, Board is aware that some entities pay a portion of the licensing fees of their employees and the employees pay the balance. Board keeps no records of how the various entities operate and how they pay their fees. Therefore, the actual cost to these agencies cannot be assessed and it must be assumed that for purposes of this fiscal note that the agencies pay the entire fee.

**FISCAL NOTE
PRIVATE COST**

- I. Department Title: 17
Division Title: 10
Chapter Title: 2**

Rule Number and Title:	17 CSR 10-2.050 – Testing Requirements and Qualification Standards
Type of Rulemaking:	Proposed Rule

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
968	Armed Licensees	\$82,280.00
436	New Armed Licensees	\$37,060.00
Total		\$119,340.00

III. WORKSHEET

This rule allows the Board to require that individuals holding armed licenses to charge a range fee for firearms qualification in the amount of eighty-five dollars (\$85.00). Currently approximately 968 persons hold armed licenses. The total fiscal impact to all armed licensees is \$82,280.00.

In order to assess the fiscal impact to the individuals acquiring new armed licenses, an estimate of the number of new armed licensees, four hundred thirty-six (436) must be multiplied by the range fee in the amount of eighty-five dollars (\$85.00) for a fiscal impact of \$37,060.00.

IV. ASSUMPTIONS

These figures assume that Board is correct about the number of persons who will newly apply for armed licenses in the next year and that the number of existing armed licensees will remain approximately the same. Board is aware that some companies pay a portion of the fees of their employees, and the employees pay the balance. Board keeps no records of how the various companies operate and how they pay their fees. Therefore, the actual cost to companies versus individuals cannot be assessed.

**Title 17—BOARDS OF POLICE COMMISSIONERS
Division 10—Kansas City Board of Police Commissioners
Chapter 2—Private Security**

PROPOSED RESCISSION

17 CSR 10-2.055 Weapons Regulations and Firearms Qualification. This rule established requirements for persons seeking licenses for positions authorized to carry approved firearms.

PURPOSE: Board wishes to rescind this rule and adopt a new rule in its place to clarify the language in the rule and insure compliance with the applicable law.

AUTHORITY: section 84.720, RSMo 2000. Original rule filed Dec. 5, 1979, effective March 17, 1980. For intervening history, please consult the Code of State Regulations. Rescinded: Filed March 1, 2021.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Board of Police Commissioners of Kansas City, Missouri, 1125 Locust St., Kansas City, Missouri 64106. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 17—BOARDS OF POLICE COMMISSIONERS
Division 10—Kansas City Board of Police Commissioners
Chapter 2—Private Security**

PROPOSED RULE

17 CSR 10-2.055 Weapons Regulations and Firearms Qualification

PURPOSE: Applicants seeking licenses for positions authorized to carry approved firearms must be certified as qualified to carry those firearms pursuant to requirements as established by the Board of Police Commissioners of Kansas City, Missouri (board) herein.

(1) A licensee is authorized to carry only handguns in a strong side hip holster approved by the board and only if the licensee has qualified with that handgun as set out herein. All licensees must have a completed Verification of Firearms Training Form (Form 5715 P.D.) before reporting to the Private Officers Licensing Unit (POLU). The handguns approved by the board are as follows: .38 caliber, double action solid frame revolvers (five (5) or six (6) shot); and semiautomatics, double action only or double/single action, which are equipped with a decocker or decocker safety. This requirement limits the semi-automatics which may be carried to .40, .45, and 9mm calibers. Striker action handguns are acceptable. The department shooting range supervisor or his/her designee may deny a licensee the opportunity to qualify if, in their discretion, they believe a person or a firearm does not meet the requirements set out herein or presents a danger to others.

(2) Licensees may carry patrol rifles under the following terms and conditions. The only approved rifle will be the semi-automatic AR15, .223/5.56 caliber firearm. The Patrol Rifle must meet the following requirements to be approved for testing at the department

shooting range and use on duty:

- (A) AR-15 type firearm that has forged upper and lower receivers. No cast or carbon fiber;
- (B) A sixteen inch (16") overall barrel length;
- (C) A factory-type trigger system. Lightweight match style triggers are not permitted on an approved personal rifle;
- (D) Iron sights, with a front tritium (night) sight (mandatory). Pop-up sights are also acceptable;
- (E) A minimum of two (2), 30 round magazines or three (3), 20 round magazines;
- (F) A mountable light source (minimum of 80-90 lumens);
- (G) A sling (1, 2, or 3 point styles are required);
- (H) Armed licensees carrying a Patrol Rifle will only carry U.S. made factory loaded 55 grain soft point ammunition in the weapon. (Hollow point and full metal jacket ammunition are forbidden.)

(3) Licensees may carry patrol shotguns under the following conditions. The Patrol Shotgun must meet the following requirements to be approved for testing at the department shooting range and use on duty:

- (A) 12 gauge pump action shotgun;
- (B) Minimum eighteen and one-half inch (18.5") barrel, maximum of twenty inch (20") (no rifled barrels, no ported barrels);
- (C) Minimum 4 round magazine capacity;
- (D) Must have a sling (1, 2, or 3 point) attached to the weapon;
- (E) Metallic sights only (no scopes, red dots, or other optics);
- (F) Subdued finish, blued, parkerized, matte finish;
- (G) Stock trigger/safety systems, no aftermarket trigger systems or safeties;
- (H) No muzzle brake/compensators/hold off devices allowed;
- (I) No barrel shrouds allowed;
- (J) No knives or bayonets or bayonet attachments allowed;
- (K) Extended magazine tubes will be allowed, but must not extend more than one inch (1") past the muzzle;
- (L) Armed licensees carrying a Patrol Shotgun will only carry U.S. made factory loaded 12 gauge slug or U.S. made factory loaded 12 gauge buckshot (#4 buckshot, #1 buckshot or 00 buckshot) ammunition in the weapon.

(4) All applicants seeking licensure for positions for which firearms may be possessed must qualify annually with the firearm(s) on the department pistol range and under the supervision of the department's firearms instructors. The firearms qualifications standards shall be in accordance with those established by department for its officers.

(5) An applicant must display the ability to safely and properly handle his/her approved firearm(s).

(6) An applicant shall not be licensed if the applicant—

- (A) Displays an inability to handle a firearm safely and properly; or
- (B) Does not attain the minimum scores for qualification. The applicant shall be given a maximum of two (2) additional opportunities to qualify. An additional fee and new Forms 5409 P.D. and 5715 P.D. are required for each additional qualification and will be scheduled by the POLU. If the applicant fails to qualify after two (2) additional attempts, the applicant will not be allowed to attempt to qualify for one (1) year from the date of the last failure.

(7) In addition to the applicant successfully passing an approved firearms qualification test, the applicant or his/her employer must satisfy the physical certification requirements for a Class A license as established herein.

(8) Licensees holding an armed license may wear their approved firearm with their uniform, unless classified as a nonuniformed proprietary private investigator, while at work and while traveling directly to and from work.

(9) Those licensed as private security and proprietary private investigators must comply with city ordinance and state law which prohibits carrying a firearm or other weapon readily capable of lethal use into any building owned or occupied by any agency of the state government. This includes the POLU and any other office within the building or any other building occupied by the department.

(10) Each security firm shall designate a training coordinator (the training coordinator) who will be responsible for ensuring that **all armed members** of the security firm receive training from a qualified firearms instructor experienced in providing law enforcement/security training, as described in 17 CSR 10-2.050(1). The training coordinator will be the person responsible for signing Form 5715, verifying each individual armed security officer has received verifiable training. Form 5715 is an official document and any training coordinator knowingly providing false information to the POLU will be subject to removal as the training coordinator for a period of two (2) years and training coordinator and the security firm will be subject to the disciplinary procedures set forth in 17 CSR 10-2.060. Training coordinators will be provided a checklist detailing the mandatory training requirements, must sign verifying that the mandatory training has been conducted, and the security firm will be subject to investigation if the individual attempting to qualify has not been properly trained.

AUTHORITY: section 84.720, RSMo 2016. Original rule filed May 28, 1993, effective Jan. 31, 1994. For intervening history, please consult the Code of State Regulations. Rescinded and readopted: Filed March 1, 2021.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will cost private entities twenty-two thousand five hundred five dollars (\$22,505) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Board of Police Commissioners of Kansas City, Missouri, 1125 Locust St., Kansas City, Missouri 64106. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**FISCAL NOTE
PRIVATE COST**

- I. Department Title: 17**
- Division Title: 10**
- Chapter Title: 2**

Rule Number and Title:	17 CSR 10-2.055 – Firearms Regulations and Qualification
Type of Rulemaking:	Proposed Rule

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
129	Armed Licensees/Failed to Attend Range Qualification	\$12,900.00
113	Armed Licensees/Failed to Qualify	\$9605.00
Total		\$22,505.00

III. WORKSHEET

This rule requires that individuals holding armed licenses pay a range fee to Board if a licensee fails to qualify at the Department pistol range. This fee is set out in 17 CSR 10-2.040 and is known as a Range Failure (failure to qualify range appointment) fee of eighty-five dollars (\$85.00).

In order to assess the fiscal impact to the armed licensees, Board has determined that approximately 113 armed licensees fail to qualify per year at the Department pistol range and fees were assessed to each in the amount for eighty-five dollars (\$85.00), for a total fiscal impact of nine thousand six hundred five dollars (\$9605.00).

Board is imposing a fee found in 17 CSR 10-2.040 to armed licensees who fail to attend their range qualification appointment known as the Failure to Attend Range Appointment fee in the amount of one hundred dollars (\$100.00). This is a new fee but Board estimates that in any given year, approximately 129 armed licensees will fail to attend their range qualification appointment, for a total fiscal impact of \$12,900.00.

IV. ASSUMPTIONS

These figures assume that the number of persons who will fail to qualify/fail to attend will remain approximately the same as past years. These figures also assume that the companies pay the rescheduling fees for those they license, rather than the individual paying the fees themselves. In fact, Board is aware that some companies pay a portion of the fees of their employees and the employees pay the balance. Board keeps no records of how the various companies operate and how they pay their fees. Therefore, the actual cost to companies versus that to individuals cannot be assessed.

**Title 17—BOARDS OF POLICE COMMISSIONERS
Division 10—Kansas City Board of Police Commissioners
Chapter 2—Private Security**

PROPOSED RESCISSION

17 CSR 10-2.060 Regulation, Suspension, and Revocation. This rule gave the board the power to suspend or revoke any license granted by it and set out an appeal process for any license so affected.

PURPOSE: Board wishes to rescind this rule and adopt a new rule in its place to clarify the language in the rule and insure compliance with the applicable law.

AUTHORITY: section 84.720, RSMo 2000. Original rule filed Dec. 5, 1979, effective March 17, 1980. For intervening history, please consult the Code of State Regulations. Rescinded: Filed March 1, 2021.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Board of Police Commissioners of Kansas City, Missouri, 1125 Locust St., Kansas City, Missouri 64106. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 17—BOARDS OF POLICE COMMISSIONERS
Division 10—Kansas City Board of Police Commissioners
Chapter 2—Private Security**

PROPOSED RULE

17 CSR 10-2.060 Regulation, Suspension, and Revocation

PURPOSE: Under section 84.720, RSMo, the Board of Police Commissioners of Kansas City, Missouri (board) shall regulate individuals providing private security/proprietary private investigative services. Pursuant to this authority, the board has the power to suspend, impose a fine, order probation, or revoke any license granted by it; and the board is obligated to furnish an appeal process for any license so affected.

(1) The board may monitor and investigate allegations of improper conduct and the activities of individuals providing private security and proprietary private investigative services and firms, companies, partnerships, entities, or political subdivisions providing security services or proprietary private investigative services pursuant to these rules.

(2) All licenses shall expire either one (1) year or two (2) years from the date of issuance depending on the duration of the initial license issued to the applicant. For licenses renewed after their expiration date, the licensee will be processed as a new applicant.

(3) A licensee must carry his/her license with him/her at all times while they are working. The license card must be worn on the outermost garment while on duty. The licensee must produce such license immediately at the request of a police officer; employee of the board; or person that the licensee has stopped or detained, if the licensee holds a license which allows him/her to stop and detain persons.

(4) The Private Officers Licensing Unit (POLU) will approve in advance all uniforms to be worn by any licensee. No uniform identical to or bearing resemblance to any uniform used by the department shall be approved. Additionally, no uniforms, badges, or other insignia using the word "police" shall be approved for use, except as provided in 17 CSR 10-2.030(1)(A)5.-6. Companies licensed under this chapter shall provide the board a description, including the type and color of the company uniform along with a photograph of the uniform. The company name must appear on the uniform or a patch and the word "security" must also appear on the uniform or patch. The word "security" must be clearly displayed on the outermost clothing to be worn by the licensee.

(5) Individuals providing private security services or proprietary private investigative services are required to file a discharge of firearms report with the board within five (5) days of the incident whenever they discharge a firearm in the course of their occupation, other than formal firearms training.

(6) Individuals providing private security services or proprietary private investigative services are required to notify the POLU when they are arrested or have any criminal court cases pending within five (5) days of the incident. The following information must be provided within five (5) days of the occurrence of each of the following: the original arrest charge, any additional charge, the conviction, plea of guilty or no-contest, jurisdiction where the arrest occurred and where the conviction, plea of guilty or no-contest, sentence, fine, or probationary conditions if applicable.

(7) No person licensed under these provisions shall divulge to any unauthorized person or company any information or knowledge received from the department or any source when the divulgence would be detrimental to effective law enforcement. Under no circumstances may any records received from the department, whether generated by computer or otherwise, be accessed for personal use.

(8) The chief of police or his/her designee may impose a fine, order probation, order a suspension, or revoke a license of any company granted under section 84.720, RSMo pursuant to the procedures set forth in section (10) of this rule, when there exists information that the licensee or, if the licensee is an organization, any of its officers, directors, partners, or associates has—

- (A) Failed to meet the qualifications in 17 CSR 10-2.020(3);
- (B) Failed to maintain the physical and mental standards required of department police officers;
- (C) Failed to understand and perform the duties and responsibilities of a licensee;
- (D) Been convicted of, or pled guilty or no contest to, a felony, a misdemeanor, or an ordinance violation (other than a minor traffic violation) in federal, state, or municipal court;
- (E) For armed licensees, been named as the respondent in a full order of protection currently in effect issued after a hearing by a court of competent jurisdiction;
- (F) Failed to meet the standards as set out herein;
- (G) Failed to cooperate fully with the department in any matter;
- (H) Made a false statement or given any false information in connection with an investigation by the POLU or the department;
- (I) Provided other facts or actions which demonstrate that the applicant is unsuitable or ineligible to continue to hold a license or lacks good moral character;
- (J) Being terminated from or resigning under investigation or threat of discharge from the department shall make an individual ineligible for a license, but s/he may appeal to the board pursuant to the appeal process contained in this chapter; and
- (K) Committed or permitted any employee or agent to work without a license issued by the board or with an expired license.

(9) Any fine imposed by the chief of police shall not exceed the sum

of ten thousand dollars (\$10,000) for each violation. No suspension shall exceed ninety (90) days except that a suspension which is challenged and pending before a court of competent jurisdiction will continue in effect until a final judgment by a court of competent jurisdiction unless the court has issued a stay.

(10) When the chief of police or his/her designee determines that a license granted pursuant to section 84.720, RSMo shall be suspended or revoked, the following procedures shall apply:

(A) Notice of fine, probation, suspension, or revocation shall be mailed to the licensee and their company at the address maintained in the Private Officers Licensing Unit (POLU);

(B) Notice of suspension or revocation shall be signed by the chief of police or his/her designee and shall indicate—

1. The decision to suspend or revoke;
2. The reason(s);
3. Duration of the suspension, if determinable;
4. Condition of reinstatement, if any; and
5. A description of the appeal process;

(C) Upon receipt of a notice of fine, probation, suspension, or revocation, the individual or organization affected may request a review of the action of the POLU by filing a notice of appeal, in writing, with the POLU within thirty (30) business days of the dated written notification of suspension or revocation at 635 Woodland, Suite 2104, Kansas City, MO 64106;

(D) In the case of an appeal, the discipline initially assessed will continue in effect until and unless it is reversed, increased, or otherwise amended, including the imposition of additional conditions of probation, by the board;

(E) In the event of an appeal, the case shall be submitted to the board solely on the record. The record shall consist of all documentary evidence obtained by or submitted to the POLU by the parties, any agreed upon statement of the case agreed to by all the parties, and the legal briefs as might be filed by the parties or their representatives. Investigatory, criminal, psychological, and medical records of an appellant as requested by the board, are subject to review. Individuals or organizations denied a license upon application may appeal to board pursuant to this section; and

(F) The chief of police or his/her designee may place a licensee on probation in lieu of a fine, suspension, or revocation, with such terms as the chief of police or his/her designee shall deem reasonable under the circumstances.

AUTHORITY: section 84.720, RSMo 2016. Original rule filed Dec. 5, 1979, effective March 17, 1980. For intervening history, please consult the Code of State Regulations. Rescinded and readopted: Filed March 1, 2021.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will cost private entities two thousand dollars (\$2,000) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Board of Police Commissioners of Kansas City, Missouri, 1125 Locust St., Kansas City, Missouri 64106. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**FISCAL NOTE
PRIVATE COST**

- I. Department Title: 17
Division Title: 10
Chapter Title: 2**

Rule Number and Title:	17 CSR 10-2.060 – Regulation, Suspension and Revocation
Type of Rulemaking:	Proposed Rule

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
2	Companies	\$2000.00
Total		\$2000.00

III. WORKSHEET

Under this rule the Chief of Police or his/her designee may impose a fine up to ten thousand dollars (\$10,000.00) for certain enumerated violations on company licenses.

As to company licenses, two (2) companies on average are fined per year and that an average fine of one thousand dollars (\$1000.00) might be imposed. This makes the total fiscal impact to companies approximately two thousand dollars (\$2000.00).

IV. ASSUMPTIONS

These figures assume that Board is correct about the number of companies who will violate the Board’s rules and that fines would be assessed in these estimated amounts. Board might, in any given case, choose to increase or decrease the amount of the fine depending on the nature and severity of the rule violation or impose no fine at all.

**Title 20—DEPARTMENT OF COMMERCE AND
INSURANCE
Division 2255—Missouri Board for Respiratory Care
Chapter 1—General Rules**

PROPOSED AMENDMENT

20 CSR 2255-1.030 Complaint Handling and Disposition. The board is amending section (5).

PURPOSE: This amendment allows the board to take disciplinary action for failure to respond to a board request or inquiry.

(5) Each complaint received under this rule shall be acknowledged in writing. **Failure of a licensee to respond in writing, within thirty (30) days from the date of the board's written request or inquiry, mailed to the licensee's address currently registered with the board, will be sufficient grounds for taking disciplinary action against that licensee.** The complainant and licensee or permit holder shall be notified of the ultimate disposition of the complaint.

AUTHORITY: sections 334.800, 334.840.2, and 334.850 [and 620.010.15(6)], RSMo [Supp. 1997] 2016. This rule originally filed as 4 CSR 255-1.030. Emergency rule filed June 25, 1998, effective July 6, 1998, expired Feb. 25, 1999. Original rule filed June 25, 1998, effective Jan. 30, 1999. Moved to 20 CSR 2255-1.030, effective Aug. 28, 2006. Amended: Filed Feb. 18, 2021.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board for Respiratory Care, Attention: Vanessa Beauchamp, PO Box 1335, Jefferson City, MO 65102, by facsimile to (573) 526-3489, or via email to rcp@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*