

commissioners and ordered the board to organize a permanent police department for the City of St. Louis. *Id.* Although the police-board statutes underwent some revisions over the years, they remained largely the same and on the books from 1861 to today. *See id.* at 526. *Compare, e.g.,* 1861 Missouri Session Laws 1861, p. 446, § 6,¹ *with* § 84.100, RSMo. (2025).

4. Further, the police-board statutes “ha[ve] stood the test of the most critical judicial examination and review.” *See, e.g., State ex rel. Reynolds v. Jost*, 175 S.W. 591, 593 (Mo. banc 1915) (quoting *Hawes*, 54 S.W. at 528–29).

5. For good reason: The duties of “protecti[ng] . . . life, liberty, and property, and . . . preserv[ing] . . . the public peace and order, in every part, division, and subdivision of the state” are governmental duties that “devolve[] upon the state, and not upon its municipalities.” *Hawes*, 54 S.W. at 529. Based on well-established Missouri Supreme Court precedent, the State has the “power to impose upon municipalities of its own creation a police force of its own creation, and to compel [the police force’s] support out of the municipal funds.” *Id.*; *see also State ex rel. Sanders v. Cervantes*, 480 S.W.2d 888, 890 (Mo. banc 1972). “Nor can such cities say to the state: You may man and control the police force if you desire, but if so we will starve your system to death. We hold the purse strings.” *Sanders*, 480 S.W.2d at 890.

¹ <https://cdm16795.contentdm.oclc.org/digital/collection/molaws/id/102077>

6. However these older statutes must be now analyzed in light of Article X, Section 21 of the Missouri Constitution, colloquially called the Hancock Amendment. *See Sayad*, 642 S.W.2d at 908–11. This amendment prohibits the State from imposing on a municipality a new activity or service or an increase beyond what was required when the Hancock Amendment was enacted. *Id.* at 910–11; *City of St. Louis v. State*, 682 S.W.3d 387, 399 (Mo. banc 2024). Although this limitation generally applies to the State, *Sayad*, 642 S.W.2d at 908–11, Missourians have carved out an exception that allows the General Assembly to increase the minimum funding that a city must provide for a police force governed by a police board, Mo. Const. art. X, § 21(2). This exception “ensure[s] such police force has additional resources to serve its communities”—thereby preventing cities from defunding their police departments. *Id.*

7. Both the Missouri Supreme Court and Missourians have made clear that the General Assembly may “provide a police system for its great cities” and require those cities to fund the police force. *Reynolds*, 175 S.W. at 594; *see* Mo. Const. art. X, § 21(2). “It would be a step backward” in this State to say otherwise. *Sanders*, 480 S.W.2d at 890 (quoting *Reynolds*, 175 S.W. at 594).

FINDINGS OF FACT

I. Procedural History

8. Plaintiffs Jamala Rogers and Mike Milton filed this case on June 5, 2025, seeking declaratory and injunctive relief against Defendants the State of Missouri and the Missouri Attorney General (collectively, “the State”).

9. Their petition raises two claims related to the constitutionality of the statutes authorizing a board of police commissioners to establish and govern the St. Louis Metropolitan Police Department (“the police-board statutes”). *See generally* Pet.

10. First, Plaintiffs alleged that the police-board statutes impose an unfunded mandate in violation of Article X, Section 21 of the Missouri Constitution. Pet. ¶¶ 43–54. Specifically, they claimed that Section 84.160.3 creates “new minimum funding requirements” that require the City of St. Louis to fund the SLMPD with a minimum percentage of the City’s general revenue. *Id.* ¶¶ 29–31, 45, 49.

11. Second, Plaintiffs alleged that the police-board statutes constitute impermissible local or special laws under Article III, Section 40(21) and (25) of the Missouri Constitution. *Id.* ¶¶ 55–63.

12. This Court held a bench trial on May 6 and 7, 2026.

13. The Court orally ordered the parties to file, no later than June 1, 2026, proposed orders and judgments.

II. Stipulated Facts

14. Jamala Rogers is a resident and taxpayer in the City of St. Louis, Missouri.

15. Mike Milton is a resident and taxpayer in the City of St. Louis, Missouri.

16. Missouri House Bill 495 was signed into law on March 26, 2025.

17. House Bill 495 contained an emergency clause and took effect on March 26, 2025.

18. The Missouri Attorney General intends to enforce any provision of House Bill 495 over which the Attorney General has enforcement authority.

19. The St. Louis Metropolitan Police Department was employed by a Board of Police Commissioners from 1861 through 2013.

20. Proposition A passed after a statewide vote in favor.

21. Members of the Board of Police Commissioners were appointed by Governor Mike Kehoe on June 23, 2025.

22. The Missouri State Senate confirmed the Commissioners appointed by Governor Kehoe on February 3, 2026.

23. The current members of the St. Louis City Board of Police Commissioners are Brad Arteaga, Don Brown, Mayor Cara Spencer, Sonya Jenkins-Gray, Edward McVey, and Chris Saracino.

24. Chris Saracino is the President of the Board of Police Commissioners.

25. The City of St. Louis is a city not within a county,

26. No other Missouri municipality is a city not within a county.

27. Between September 1, 2013 and the passage of HB 495, the St. Louis Metropolitan Police Department was not overseen by a board of police commissioners. Lt. Colin Tully is the current secretary of the Board of Police Commissioners.

28. In 2025, the City of St. Louis government approved Ordinance 71963.

29. The parties stipulated to the authenticity of House Bill 495.

30. The parties stipulated to the authenticity of the Fiscal Note for House Bill 495.

31. The parties stipulated to the authenticity of the official ballot title, summary, and certified statewide election results for Proposition A.

32. The parties stipulated to the authenticity of City Ordinances 69489 and 69583.

33. The parties stipulated to the authenticity of City Ordinance 71963.

34. The parties stipulated to the authenticity of the St. Louis City Charter.

35. The parties reserved all objections other than authenticity to the relevance, materiality, and weight of the stipulated records.

III. Non-Stipulated Factual Findings

A. The SLMPD Budget

36. For the past 165 years, the City has had to fund the SLMPD. *See, e.g.*, 1861 Missouri Session Laws 1861, p. 446, § 6; § 84.160, RSMo. (2006); § 84.344.3, RSMo. (2012); § 84.344.3, RSMo. (2023).

37. During the first period of board control, the City had “to make the necessary appropriation for the expenses of the maintenance of” the SLMPD. *See, e.g.*, § 84.160, RSMo. (2006); *see also* 1861 Missouri Session Laws 1861, p. 446, § 6.

38. To determine what the necessary appropriation was, the police board had to certify an annual “estimate of the sum of money which [would] be necessary for the subsequent fiscal year, to enable them to discharge the duties hereby imposed upon them, and to meet the expenses of the police department.” § 84.210, RSMo. (1995). The City, in turn, had “to set apart and appropriate the amount so certified.” *Id.*

39. The City did “not have a veto power over proposed expenditures found in the police budget, nor [could] it substitute the judgment of that body for that of the Board of Police Commissioners as to what funds [were] ‘necessary’ to maintain the police department.” *Sanders*, 480 S.W.2d at 890.

The City could challenge a proposed expenditure “only on the basis (1) that the proposed expenditure is illegal, or (2) that a particular discretionary power given by the state to the Board of Police Commissioners has been arbitrarily and unreasonably exercised.” *Id.* (citation omitted).

40. Shortly after the Article X, Section 21 of the Missouri Constitution became effective, the Missouri Supreme Court determined that Section 84.160.3 could be enforced up to the amount “certified as of the effective date of the Hancock Amendment”—\$66,634,713. *Sayad*, 642 S.W.2d at 911.

41. Section 84.160 and 84.210 remained effective statutes during the period of City control (2013 to 2025).

42. In 2025, when the SLMPD returned to board control, the General Assembly maintained the same budget process for the SLMPD. Under Section 84.160.3 (2025) and Section 84.210, the police board must certify an annual “estimate of the sum of money which will be necessary for the subsequent fiscal year, to enable them to discharge the duties hereby imposed upon them, and to meet the expenses of the police department.” § 84.210, RSMo. (1995). The City, in turn, has “to set apart and appropriate the amount so certified.” *Id.*

43. Further, Section 84.160.3 (2025) continues to require the City to “make the necessary appropriation for the expenses of the maintenance of the

police force.” Section 84.160.3 (2025) now specifies, however, that “pursuant to subsection 2 of Section 21 of Article X of the Missouri Constitution,” the City must “appropriate a minimum sum equal to” a certain “percentage[] of the city’s general revenue.” **“Any pension and retirement costs” must “be excluded from the calculation of expenses for the maintenance of the police force for the purposes of the minimum funding requirements provided in this subsection.” § 84.160.3, RSMo. (2025).** (emphasis added)

44. Prior to 2013, the City had a statutory duty to cover the health insurance and life insurance of retired police officers and employees. Trial Tr. at 58:9–20; *see also, e.g.*, § 84.160.8(3), RSMo. (2006).

I. Legal Standards

45. Plaintiffs bear the burden of proving, by a preponderance of the evidence, that they are entitled to the injunctive and declaratory relief sought for their constitutional challenges.

46. An act of the General Assembly carries “a strong presumption of constitutionality.” *Mo. Ass’n of Club Execs. v. State*, 208 S.W.3d 885, 888 (Mo. banc 2006).

47. The party challenging the constitutionality of a statute “bears the burden of demonstrating that the statute is unconstitutional.” *R.W. v. Sanders*, 168 S.W.3d 65, 68 (Mo. banc 2005) (citing *C.C. Dillon Co. v. City of Eureka*, 12 S.W.3d 322, 327 (Mo. banc 2000)). The challenging party “must

overcome the presumption that statutes are constitutional.” *Id.* (citing *Westin Crown Plaza Hotel Co. v. King*, 664 S.W.2d 2, 5 (Mo. banc 1984)). Statutes “will be upheld unless they ‘clearly and undoubtedly’ violate constitutional limitations.” *Id.* (quoting *In re Marriage Kohring*, 999 S.W.2d 288, 231 (Mo. banc 1999)). “This Court resolves all doubts in favor of the procedural and substantive validity of legislative acts.” *Mo. Ass’n of Club Execs.*, 208 S.W.3d at 888.

48. “Words used in constitutional provisions are interpreted to give effect to their plain, ordinary, and natural meaning.” *Wright-Jones v. Nasheed*, 368 S.W.3d 157, 159 (Mo. banc 2012). This Court “should avoid [a] construction[] of the Missouri Constitution that [is] unreasonable or would lead to absurd results.” *State ex rel. Dep’t of Health & Senior Servs. v. Slusher*, 638 S.W.3d 496, 500 (Mo. banc 2022) (citation omitted).

49. Similarly, “[t]he primary goal of statutory interpretation is to give effect to legislative intent, which is most clearly evidenced by the plain text of the statute.” *State ex rel. Bailey v. Fulton*, 659 S.W.3d 909, 912 (Mo. banc 2023) (citation omitted). “Words and phrases shall be taken in their plain or ordinary and usual sense, but technical words and phrases having a peculiar and appropriate meaning in law shall be understood according to their technical import.” § 1.090, RSMo.; *see also Gross v. Parson*, 624 S.W.3d 877, 884 (Mo. banc 2021) (“Accordingly, ‘[a] word not defined in a statute is given

its ordinary meaning pursuant to the dictionary.”) (alteration in original) (quoting *Bus. Aviation, LLC v. Dir. of Revenue*, 579 S.W.3d 212, 218 (Mo. banc 2019))). Statutory interpretations that render portions of a statute superfluous are disfavored. See *State ex rel. Goldsworthy v. Kanatzar*, 543 S.W.3d 582, 586 (Mo. banc 2018).

50. Further, “[w]hen a constitutional and an unconstitutional reading of a statute are equally possible, this Court must choose the constitutional one.” *Spradlin v. City of Fulton*, 924 S.W.2d 259, 263 (Mo. banc 1996) (citing *City of Jefferson v. Dep’t of Nat. Res.*, 863 S.W.2d 844, 848 (Mo. banc 1993)). “These rules properly serve to channel the exercise of the court’s discretion and encourage the judicial branch to avoid the temptation to substitute its preferred policies for those adopted by the elected representatives of the people.” *Id.* “[A]n act of the legislature approved by the governor carries with it a strong presumption of constitutionality.” *Hammerschmidt v. Boone Cnty.*, 877 S.W.2d 98, 102 (Mo. banc 1994) (citing *Westin Crown Plaza*, 664 S.W.2d at 5).

51. In considering a local or special law claim, this Court reviews a challenged law to determine “if the line drawn by the legislature is supported by a rational basis.” *City of Crestwood*, 620 S.W.3d at 624. If there is a rational basis for the line, “the law is not local or special and the analysis ends.” *Id.* at 623 (citation omitted). This “[r]ational basis review is highly deferential,

and” in conducting it, this Court should “not question the wisdom, social desirability or economic policy underlying” the law. *Id.* at 624 (quoting *Est. of Overbey v. Chad Franklin Nat’l Auto Sales N., LLC*, 361 S.W.3d 364, 378 (Mo. banc 2012)).

52. Finally, entitlement to an injunction requires Plaintiffs to show that they succeed on “the merits of [their] claims” and that “weigh[ing] the harm[s]” favors the Plaintiffs in the absence of relief. *Est. of Hutchison v. Massood*, 494 S.W.3d 595, 608 (Mo. App. W.D. 2016) (quoting *State ex rel. Koster v. Didion Land Project Ass’n*, 469 S.W.3d 914, 918 (Mo. App. E.D. 2015)). Plaintiffs must also “demonstrate: 1) no adequate remedy at law; and 2) irreparable harm will result if the injunction is not awarded.” *Suppes v. Curators of Univ. of Mo.*, 613 S.W.3d 836, 847 (Mo. App. W.D. 2020) (citation omitted). “A permanent injunction should be granted sparingly in clear cases only, and the decree should be framed to afford relief to which complainant is entitled and not to interfere with legitimate and proper action by those against whom it is directed.” *Metmor Fin., Inc. v. Landoll Corp.*, 976 S.W.2d 454, 463 (Mo. App. W.D. 1998) (citing *Cissell v. Brostron*, 395 S.W.2d 322, 325 (Mo. App. 1965)); *Henson v. Payne*, 302 S.W.2d 44, 50 (Mo. App. 1956).

53. The Court may grant declaratory relief only when a plaintiff proves four things:

(1) a justiciable controversy that presents a real, substantial, presently-existing controversy admitting of specific relief, as distinguished from an advisory decree upon a purely hypothetical situation; (2) a plaintiff with a legally protectable interest at stake, ‘consisting of a pecuniary or personal interest directly at issue and subject to immediate or prospective consequential relief;’ (3) a controversy ripe for judicial determination; and (4) an inadequate remedy at law.

Mo. Soybean Ass’n v. Mo. Clean Water Comm’n, 102 S.W.3d 10, 25 (Mo. banc 2003) (quoting *Northgate Apartments, L.P. v. City of North Kansas City*, 45 S.W.3d 475, 479 (Mo. App. W.D. 2001)). “When seeking declaratory relief, a legally protectable interest exists if the plaintiff is directly and adversely affected by the action in question. The party seeking relief has the burden of establishing that they have standing.” *World Wide Tech., Inc. v. Off. of Admin.*, 572 S.W.3d 512, 519 (Mo. App. W.D. 2019) (citation omitted).

II. Count I: Hancock Claim

54. Plaintiffs allege a claim under Article X, Section 21, the Hancock Amendment. Its plain text “indicates that a Hancock Amendment violation occurs if both: ‘(1) the State requires a new or increased activity or service of political subdivisions; and (2) the political subdivisions experience increased costs in performing that activity or service.’” *City of St. Louis*, 682 S.W.3d at 399 (quoting *Breitenfeld v. Sch. Dist. of Clayton*, 399 S.W.3d 816, 826 (Mo. banc 2013)). But a straightforward exception exists for police forces governed by police boards: “Notwithstanding the foregoing prohibitions, before December

31, 2026, the general assembly may by law increase minimum funding for a police force established by a state board of police commissioners to ensure such police force has additional resources to serve its communities” (the “police-board exception”). Mo. Const. art. X, § 21(2).

55. Plaintiffs allege that Section 84.160.3 violates Article X, Section 21 because it imposes an unfunded mandate by creating a “new” minimum funding requirement (a certain percentage of the City’s general revenue each year). Pet. ¶¶ 30–31. And they argued at trial that Section 84.160 violates the Hancock Amendment because it requires the City to pay for lifetime health insurance and lifetime life insurance (collectively, “lifetime benefits”). Plaintiffs generally contend that the police-board exception does not apply here.

A. Minimum Funding Under Section 84.160.3

56. Plaintiffs have shown that Section 84.160.3’s minimum-funding requirement imposes “increased duties and increased expenses” by increasing the minimum amount that the City has to provide to the SLMPD. *City of St. Louis*, 682 S.W.3d at 400 (citation omitted).

57. Even so, Section 84.160.3 is constitutional under the police-board exception to the Hancock Amendment.

58. Because the Missouri Supreme Court has yet to interpret the police board exception, this Court applies the construction principles discussed

above to determine the scope of the exception. *Wright-Jones*, 368 S.W.3d at 159. The analysis is straightforward: (i) the police-board exception applies to the City of St. Louis; (ii) the SLMPD is a “police force established” by a police board, and (iii) Section 84.160.3 “increase[d] [the] minimum funding” that the City of St. Louis must provide to the SLMPD. Mo. Const. art. X, § 21(2). Thus, the police board exception covers Section 84.160.3.

- i. **The police-board exception plainly applies to “a police force established by a state board of police commissioners,” meaning *any* police force that a police board has established.**

59. Plaintiffs claim that the exception applies to only Kansas City, Pls.’ Trial Br. at 19–20, but that ignores the exception’s plain text.

60. The police-board exception lacks any indication that it applies to only a specific police force (Kansas City). To the contrary, the exception’s text is written generally—it utilizes the article “a” rather than naming explicitly a police force. Mo. Const. art. X, § 21; *see McFadden v. United States*, 576 U.S. 186, 191 (2015) (“When used as an indefinite article, ‘a’ means ‘[s]ome undetermined or unspecified particular.’” (alteration in original) (citation omitted))).

61. Although Kansas City was the only city with an active police force established by a police board when Missourians passed the police-board exception, other statutes remained on the books that would have put a city

under board control if certain conditions were met. *See, e.g.,* § 84.160, RSMo. (2006). Thus, if the exception was meant to apply to only Kansas City, the exception would have explicitly named Kansas City so as to exclude covering other potential police forces established by police boards.

62. Finally, the exception's ballot language contemplated that the exception may financially impact more than just Kansas City. It read:

Shall the Missouri Constitution be amended to authorize laws, passed before December 31st, 2026, that increase minimum funding for *a police force* established by *a state board* of police commissioners to ensure *such police force* has additional resources to *serve its communities*?

This would authorize a law passed in 2022 increasing required funding by the City of Kansas City for police department requests from 20% of general revenue to 25%, an increase of \$38,743,646, though the City previously provided that level of funding voluntarily. No other state or local governmental entities estimate costs or savings.

2024 Ballot Measures (emphasis added).² Although other state and local entities did not “estimate costs or savings,” the mere fact that they were included implies that the exception could have broader impact than just Kansas City. *Id.*

63. For these reasons, the police-board exception applies to St. Louis.

² <https://www.sos.mo.gov/elections/petitions/2024BallotMeasures>

ii. A police board “established” the SLMPD.

64. Plaintiffs next claim that the City, not a police board, established the SLMPD and that the police-board statutes merely transferred the SLMPD to the current police board. Pls.’ Trial Br. at 17–18. Not so.

65. To “establish” a police force means “to institute” it “permanently by enactment or agreement.” *Establish*, Merriam-Webster Dictionary.³

66. The St. Louis police board plainly “established” the SLMPD.

67. In 1861, the General Assembly established the St. Louis police board and required it “to appoint, enroll and employ a permanent police force for the [City of St. Louis].” *Hawes*, 54 S.W. at 526 (citation omitted). The Missouri Supreme Court has repeatedly emphasized that this statutory language made the police board “responsible for the establishment and control of the St. Louis police force,” i.e., the SLMPD. *See, e.g., Sayad*, 642 S.W.2d at 909.

68. Under the 2025 police-board statutes, the St. Louis police board (once again) “appoint[ed], enroll[ed], and employ[ed]” a permanent police force—the SLMPD. § 84.100, RSMo. (2025). Moreover, the police-board statutes’ plain text indicates that the St. Louis police board “established” the SLMPD. Section 84.325, for example, repeatedly discusses “a police force

³ <https://www.merriam-webster.com/dictionary/establish>

established under sections 84.010 to 84.340.” *See also* § 84.040, RSMo. (2025) (discussing “the police force created and to be organized by” the board commissioners “under sections 84.010 to 84.340”).

69. Thus, the SLMPD is a “police force established by a state board of police commissioners.” Mo. Const. art. X, § 21(2).

iii. Section 84.160.3 “increase[d] [the] minimum funding” that the City of St. Louis must provide the SLMPD.

70. Finally, Plaintiffs claim that Section 84.160.3 could not have “increased” minimum funding because it created a “new” minimum-funding requirement by requiring the City to appropriate any amount the police board certifies and at least a minimum percentage of the City’s general revenue. *See* Pls.’ Trial Br. at 20–21.

71. Under the police-board exception, the General Assembly may “increase minimum funding for a police force” established by a police board. Mo. Const. art. X, § 21. To “increase minimum funding for a police force” means to make greater the least quantity of money that a city has to provide for a police force. *Increase*, Merriam Webster Dictionary (defining “increase” as “to make greater”);⁴ *Minimum*, Merriam Webster Dictionary (“defining “minimum” as “the least quantity assignable, admissible, or possible”);⁵

⁴ <https://www.merriam-webster.com/dictionary/increase>

⁵ <https://www.merriam-webster.com/dictionary/minimum>

Funding, Cambridge Dictionary (defining “funding” as “money given by a government or organization for an event or activity”).⁶

72. Section 84.160.3 plainly increases the least amount of money that the City of St. Louis must provide for the SLMPD. Section 84.160.3 reads:

It is the duty of the municipal assembly or common council of the cities to make the necessary appropriation for the expenses of the maintenance of the police force governed by the board of police commissioners, in the manner provided in section 84.210; except, pursuant to subsection 2 of Section 21 of Article X of the Missouri Constitution, such municipal assembly or common council shall appropriate a minimum sum equal to the following percentages of the city’s general revenue:

(1) Twenty-two percent for the period ending December 31, 2025;

(2) Twenty-three percent for the period beginning on January 1, 2026, and ending on December 31, 2026;

(3) Twenty-four percent for the period beginning on January 1, 2027, and ending on December 31, 2027; and

(4) Twenty-five percent beginning on January 1, 2028, and for all subsequent years;

to fund the police force governed by the board of police commissioners. **Any pension and retirement costs shall be excluded from the calculation of expenses for the maintenance of the police force for the purposes of the minimum funding requirements provided in this subsection.**

⁶ <https://dictionary.cambridge.org/us/dictionary/english/funding>

Section 84.160.3 naturally breaks into five clauses: (1) the necessary-expenses clause; (2) the minimum-sum clause; (3) the annual-percentages clause; (4) the purpose-directive clause; and (5) the pension-and-retirement-exclusion clause.

73. In 2025, when the General Assembly returned the SLMPD to board control, the General Assembly amended Section 84.160.3 in two primary ways: (1) adding language requiring compliance with Section 84.210; and (2) creating an exception to the necessary-expenses clause. The core aspect of Section 84.160.3 and the City's duty, however, remained the same—the City had to provide the funds necessary to maintain the SLMPD. § 84.160.3, RSMo. (2025); § 84.344.3, RSMo. (2023).

74. The necessary-expenses clause has been in every iteration of the police-board statutes since 1861 and has been repeatedly upheld. *See, e.g.*, 1861 Missouri Session Laws 1861, p. 446, § 6. Since 1981, that clause has required the City of St. Louis to provide at least \$66,634,713 for the SLMPD. *Sayad*, 642 S.W.2d at 911 (construing the necessary-expenses clause in the Hancock Amendment context).

75. Before City control of the SLMPD, Section 84.210 required the police board to certify annually “an estimate of the sum of money which [would] be necessary for the subsequent fiscal year, to enable them to discharge the duties hereby imposed upon them, and to meet the expenses of the police department” (i.e., “the necessary appropriation for the expenses of the

maintenance of the police force”). § 84.160.3, RSMo. (2006)); *see also* § 84.210, RSMo. In other words, pre-City control, the police board had to certify an estimate that considered both the amount the board needed to execute its duties and the amount it needed to meet the expenses of the police department. § 84.210, RSMo. The City, in turn, had “to set apart and appropriate the amount so certified.” *Id.*; *Sayad*, 642 S.W.2d at 911 (“The City is required by section 84.210.1 . . . to appropriate the certified amount unless the proposed expenditure is illegal, or a particular discretionary power given by the state to the Police Board has been arbitrarily or unreasonably exercised.”).

76. During City control, the City had a statutory duty under Section 84.344.3 to “provide the necessary funds for the maintenance of the municipal police force.” § 84.344, RSMo. (2012); *id.* § 84.344 (2023) (same). Section 84.160.3.

77. In 2025, the General Assembly repealed the City control statutes and amended Section 84.160.3 to include the exception to the necessary-expenses clause, which is contained in the minimum-sum clause and the clauses that follow it. § 84.160.3, RSMo. (2025). The minimum-sum clause provides that the City of St. Louis “shall appropriate a minimum sum equal to the following percentages of the city’s general revenue.” *Id.*

78. The plain text of Section 84.160.3 makes clear that the General Assembly invoked the police-board exception to the Hancock Amendment as

justification for adding the exception to the necessary-expenses clause.⁷ § 84.160.3, RSMo. (2025) (referencing the police-board exception explicitly: “pursuant to subsection 2 of Section 21 of Article X of the Missouri Constitution”).

79. Further, the plain meaning of the minimum-sum clause shows that the General Assembly permissibly increased the minimum funding that the City must provide the SLMPD. The phrase “minimum sum” means the “least” “amount of money.” *Minimum*, Merriam-Webster Dictionary;⁸ *Sum*, Merriam-Webster Dictionary.⁹ Thus, under the minimum-sum clause, the City must appropriate at least an amount of money equal to the given percentage of the City’s general revenue. This plain text evidences that the General Assembly determined that the “necessary appropriation for the expenses of the maintenance of the police force” is at least an amount calculated based on a

⁷ Of note, the exception to the necessary-expenses clause in Section 84.160.3, RSMo. (2025) replaced language that limited the necessary-expenses clause to the pre-Hancock Amendment levels: “It is the duty of the municipal assembly or common council of the cities to make the necessary appropriation for the expenses of the maintenance of the police force in the manner herein and hereafter provided; provided, that in no event shall such municipal assembly or common council be required to appropriate for such purposes (including, but not limited to, costs of funding pensions or retirement plans) for any fiscal year a sum in excess of any limitation imposed by article X, section 21, Missouri Constitution;” § 84.160.3, RSMo. (2006); *see also Sayad*, 642 S.W.2d at 911.

⁸ <https://www.merriam-webster.com/dictionary/minimum>

⁹ <https://www.merriam-webster.com/dictionary/sum>

percentage of the City's general revenue. Thus, by adding the minimum-sum clause, the General Assembly increased the \$66,634,713 required under the necessary-expense clause pre-2025 to a higher quantity. *Sayad*, 642 S.W.2d at 911. This increase in the minimum funding for the SLMPD is permissible under the police-board exception to the Hancock Amendment.

80. Further, by adding the minimum sum clause, the General Assembly created the base amount that the City must provide SLMPD; it did not cap the necessary-expenses clause. *See* § 84.160.3, RSMo. (2025). Thus, if the police board's certified estimate exceeds the amount under the minimum-sum clause, Section 84.160.3 and Section 84.210 require the City to set aside and appropriate the full amount certified because that is the "necessary appropriation for the expenses of the maintenance of the police force." This increase is also permissible under the police-board exception to the Hancock Amendment.

81. Finally, Plaintiffs argue that the police board statutes further violate the Hancock Amendment by requiring the City to fund the police board's "new governmental structure." Not so.

82. As noted above, under Sections 84.210 and 84.160.3, the City must appropriate the amount necessary for the police board to carry out its duties and for the expenses of the SLMPD. The funds for the police board to carry out its duties are part of "the necessary appropriation for the expenses of the

maintenance of the police force governed by” the police board. § 84.160.3, RSMo. Any increase in the funds needed for the police board itself necessarily falls within the police-board exception to the Hancock Amendment.

83. In sum, Section 84.160.3 (2025) “increase[d] minimum funding for a police force established by a state board of police commissioners.” Mo. Const. art. X, § 21(2). This increase is plainly permitted by the police-board exception to the Hancock Amendment. *Id.* The Court therefore enters judgment in favor of the State on Plaintiffs’ Hancock claim as to Section 84.160.3.

B. Lifetime Health Insurance and Lifetime Life Insurance

84. At trial, Paul Payne testified regarding the lifetime benefits. As he explained, pre-City control, the City had to fund these lifetime benefits for SLMPD employees and officers. Trial Tr. at 35:23–36:4; *see also* § 84.160.8, RSMo. During City control, the City had a statutory duty to fund the lifetime benefits to the SLMPD employees and officers who qualified for them prior to City control (or, in Mr. Payne’s words, they were “grandfathered in” to the benefits, Trial Tr. at 36:14–20). *See* § 84.344.9, RSMo. (2023).

85. The City, however, did not consider SLMPD employees and officers hired during City control to be eligible for the lifetime benefits. Trial Tr. at 36:14–22. It is estimated that 600 SLMPD employees and officers did not qualify for the benefits during City control. Trial Tr. at 63:24–64:7. Now,

under board control, those 600 employees and officers may eventually qualify for the lifetime benefits Section 84.160.8 requires the police board to provide (if they meet their minimum years of service to the department before retiring). § 84.160.8, RSMo. (2025).

86. By carving out the lifetime health- and life-insurance benefits from the police-board exception to the limitations of the Hancock Amendment, the Defendants attempt to “have their cake and eat it too.”

87. To the extent that the State now requires the City to fund lifetime health- and life-insurance benefits for anyone hired after 2013, the Court concludes that such a change qualifies as a violation of the Hancock Amendment. On this specific issue, the Court finds in favor of Plaintiffs.

III. Count II: Local or Special Law Claim

88. Plaintiffs allege in Count II that the police-board statutes violate the Missouri Constitution’s prohibition on local or special laws. Pet. ¶¶ 55–63.

89. Under Article III, Section 40, the General Assembly may pass a local or special law unless the law would cause certain effects or “a general law can be made applicable.” *See* Mo. Const. art. III, § 40(30). Here too, the police-board statutes are “entitled to a presumption of constitutional validity.” *City of Aurora v. Spectra Commc’ns Grp., LLC*, 592 S.W.3d 764, 780 (Mo. banc 2019). Thus, Plaintiffs bear the burden of showing that the police-board statutes (1) qualify as local or special laws (rather than general laws) and (2)

that they fall within one of the specific prohibitions enumerated in Article III, Section 40. *See id.* at 776–81. The Court need not address the latter prong because Plaintiffs failed to prove that the police-board statutes are local or special laws.

90. It is well-established—and has been since 1899 at least—that laws creating police boards are “based upon the elementary propositions that the protection of life, liberty, and property, and the preservation of the public peace and order in every part, division, and subdivision of the state is a governmental duty [that] devolves upon the state and not upon its municipalities.” *Reynolds*, 175 S.W. at 593 (quoting *Hawes*, 54 S.W. at 529). This is particularly true when, as here, a city “might be left to prey to disorder and violence, to the general detriment of the state at large. Of course, no state could safely, for a single day, tolerate such a condition of affairs.” *Id.* Further, the police-board funding statutes ensure that a city cannot “starve its state operated and controlled police department into and utter ineffectiveness.” *State ex rel. Spink v. Kemp*, 283 S.W.2d 502, 514 (Mo. banc 1955). In other words, the Supreme Court has already determined that rational bases undergird the police-board statutes.

91. The police-board statutes easily satisfy the rational-basis test because several rational bases support applying the police-board statutes to only the City of St. Louis. For example, the City of St. Louis faces a serious

and pervasive crime problem unlike the crime problems in other cities in Missouri. *See supra* ¶ 54. The City has repeatedly ranked among the cities throughout the United States that have the highest homicide rates. *See supra* ¶ 55. The State has a legitimate interest in addressing this problem in a crime-ridden City. *Amick v. Dir. of Revenue*, 428 S.W.3d 638, 640 (Mo. banc 2014) (“The state has a legitimate interest in promoting public safety.”); *Doe v. Olson*, 696 S.W.3d 320, 328 (Mo. banc 2024) (finding rational basis in promoting safety and law enforcement efforts).

92. In addition, the General Assembly was almost certainly concerned about specific issues that the SLMPD faced under local control and thought that returning the SLMPD to board control could fix those issues. Putting aside the folly or wisdom of this plan, (*City of Crestwood*, 620 S.W.3d at 626), it is clear that these issues were rational bases for returning SLMPD to board control.

93. The General Assembly could have reasonably conceived that returning the SLMPD to board control would reduce crime, protect Missouri’s economy, assist with recruiting and retaining officers, and improve the working conditions of SLMPD officers. Whether viewed in isolation or collectively, these issues distinguish the City from other parts of Missouri.

94. It is not this Court's role to question the General Assembly's wisdom or folly in returning the SLMPD to board control but rather only to determine whether a reasonably conceivable state of facts provide a rational basis for that decision. *City of Crestwood*, 620 S.W.3d at 624. Because a reasonably conceivable state of facts provides a rational basis for including only the City of St. Louis in the police-board statutes, this Court holds that the police-board statutes are general laws and enters judgment in favor Defendants' on Plaintiffs' local-or-special-law claim.

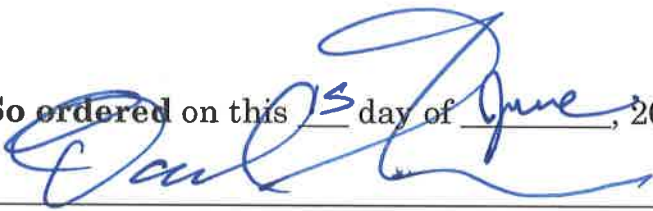
ORDER AND JUDGMENT

Accordingly, this Court rules as follows:

- A. The Court enters judgment in favor of Defendants on all counts of the Petition, with the singular exception of the Hancock Amendment claim respecting payments of lifetime health-insurance and life-insurance benefits to anyone hired after the City of St. Louis took control of the SLMPD in 2013.
- B. The Court **DENIES** all relief requested in the Petition, with the singular exception of the Hancock Amendment claim respecting payments of lifetime health-insurance and life-insurance benefits to anyone hired after the City of St. Louis took control of the SLMPD in 2013.

- C. To the extent any motions or claims for relief remain outstanding and are not addressed herein, those motions or claims for relief are **DENIED.**
- D. All prior rulings are **INCORPORATED HEREIN BY REFERENCE** to the extent necessary to create a final and appealable order.
- E. This is the final order and judgment of this Court.

So ordered on this 13 day of June, 2026.



The Honorable Daniel R. Green